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Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

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## **Official Report of Debates (Hansard)**

F-40

## **Journal des débats (Hansard)**

F-40

### **Standing Committee on Finance and Economic Affairs**

Stronger, Fairer Ontario Act  
(Budget Measures), 2017

### **Comité permanent des finances et des affaires économiques**

Loi de 2017  
pour un Ontario plus fort  
et plus juste  
(mesures budgétaires)

2<sup>nd</sup> Session  
41<sup>st</sup> Parliament  
Thursday 7 December 2017

2<sup>e</sup> session  
41<sup>e</sup> législature  
Jeudi 7 décembre 2017

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Chair: Ann Hoggarth  
Clerk: Eric Rennie

Présidente : Ann Hoggarth  
Greffier : Eric Rennie

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
FINANCE AND ECONOMIC AFFAIRSCOMITÉ PERMANENT DES FINANCES  
ET DES AFFAIRES ÉCONOMIQUES

Thursday 7 December 2017

Jeudi 7 décembre 2017

*The committee met at 0900 in room 151.*STRONGER, FAIRER ONTARIO ACT  
(BUDGET MEASURES), 2017LOI DE 2017  
POUR UN ONTARIO PLUS FORT  
ET PLUS JUSTE  
(MESURES BUDGÉTAIRES)

Consideration of the following bill:

Bill 177, An Act to implement Budget measures and to enact and amend various statutes / Projet de loi 177, Loi visant à mettre en oeuvre les mesures budgétaires et à édifier et à modifier diverses lois.

**The Clerk of the Committee (Mr. Eric Rennie):** Good morning, honourable members. As the Clerk of the Committee, in the absence of the Chair and the Vice-Chair, it is my duty to call upon you to elect an Acting Chair for today's meeting.

I remind members that pursuant to standing order 117(b), the Chair of the Standing Committee on Finance and Economic Affairs shall be a member of the party forming government.

Are there any nominations for Acting Chair? Mr. Anderson.

**Mr. Granville Anderson:** I move that Mr. Crack be the Acting Chair this morning.

**The Clerk of the Committee (Mr. Eric Rennie):** Mr. Crack, do you accept the nomination?

**Mr. Grant Crack:** Of course.

**The Clerk of the Committee (Mr. Eric Rennie):** Are there any further nominations for Acting Chair? Seeing no further nominations, I ask Mr. Crack to please come and assume the chair as Acting Chair.

**The Acting Chair (Mr. Grant Crack):** Good morning, everyone. The Clerk has already called the meeting to order, so welcome. We're meeting this morning and this afternoon for public hearings on Bill 177, An Act to implement Budget measures and to enact and amend various statutes. Each witness will have up to five minutes for their presentation, followed by nine minutes of questioning from the committee. Any questions before we begin?

## INSURANCE BUREAU OF CANADA

**The Acting Chair (Mr. Grant Crack):** There being none, I shall call the first witness. Today we have, from

the Insurance Bureau of Canada, Kim Donaldson, vice-president for Ontario; Liam McGuinty, director of government relations for Ontario; and Ben Kosc, president and chief executive officer of CANATICS.

We welcome the three of you before committee this morning. You have up to five minutes and then up to nine minutes. We're a little bit late, so I'll just remind members of the committee to try to stay on time. Welcome. The floor is yours.

**Ms. Kim Donaldson:** Good morning. Thank you very much. I'm Kim Donaldson, vice-president, Ontario, with the Insurance Bureau of Canada. I'm here with my colleague Liam McGuinty, and Ben Kosc, president and CEO of CANATICS, our partner organization that uses analytical tools to identify fraudulent claims.

With very specific reference to schedule 16 of Bill 177, which amends the Financial Services Regulatory Authority of Ontario Act, we will speak to the proposed anti-fraud mandate of the new financial services regulator.

The newly announced Serious Fraud Office is a very encouraging development in the fight against fraud, but FSRA still needs to play a strong role in data collection and sharing and in enforcement. Given that Bill 177 provides the regulator with an explicit anti-fraud mandate, what most interests our industry is the manner in which the Serious Fraud Office will operate alongside FSRA.

Fraud is a major cost-driver of insurance premiums. A KPMG report found that the estimated yearly cost of auto insurance fraud to Ontario consumers is \$1.3 billion. That is 13% of the total auto insurance premium in the province.

Auto insurance fraud takes many forms: misrepresentation of the intended use of a vehicle to save on costs; exaggerated injuries following a car accident; inclusion of pre-collision, existing vehicle damage in auto insurance claims; staged collisions; medical rehab facilities that charge for services that were never provided; and individuals making insurance claims for events that never happened. Fraudulent claims originate from a variety of stakeholders in the auto insurance ecosystem, including but not limited to commercial health clinics, claims adjusters, tow truck drivers, mechanics, scrapyards and used car sales businesses.

Given the size and the scope of the problem, we have three recommendations. We believe that these recom-



mendations will strengthen Bill 177 by carving out a more complete role for FSRA in fraud protection and prevention.

First, in conjunction with the Serious Fraud Office, allow the regulator to create and enforce fraud deterrence measures that apply to all actors in the auto insurance system. We are recommending a slight rewording, a change to the act to provide FSRA with the authority to deter the fraudulent activities of those who are not engaged directly in the business of insurance or regulated under the Insurance Act, but who are nevertheless a significant source of fraud. Think of the tow truck scams in this context that we're addressing.

Bill 177's current wording lends itself to a narrower interpretation of FSRA's fraud deterrence scope than we believe was intended. We've included the suggested wording in the appendix to the deck provided. It will ensure that the provision applies to all persons who perpetrate insurance fraud.

Secondly, we would like to ensure that the regulator works hand in hand with the Serious Fraud Office. While the new fraud office will be well-resourced, with dedicated investigators and crowns, it will need access to the kinds of data that will allow it to conduct investigations, to essentially identify the bad guys and monitor trends in the fraud marketplace. As keepers of this data, we expect that FSRA will work seamlessly with the fraud office. Bill 177 does not need an amendment to accomplish this, but it definitely needs clear government direction to this effect.

Now, Ben, I'll ask you to handle number three.

**Mr. Ben Koscic:** Thanks, Kim. CANATICS is a not-for-profit created and funded by the auto insurance industry that performs sophisticated analytics on data that is pooled across the industry for the purposes of detecting suspicious behaviour.

Many of these data-sharing objectives require government regulatory solutions that have unfortunately been difficult to come by over the past few years, often due to questions about rule-making authority. We're not asking for approval of any specific data sharing at this point; we just want to ensure that FSRA has sufficient rule-making authority to enable this data sharing across the industry when they deem it's appropriate in the future. We've provided some wording in the appendix that we think would help.

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It would be a shame to miss out on opportunities to direct these powerful analytical techniques at identifying the bad actors who are abusing the insurance industry, to the detriment of honest policyholders.

**The Acting Chair (Mr. Grant Crack):** Thank you very much. Right on time. Much appreciated.

We'll start with the official opposition. Mr. Fedeli.

**Mr. Victor Fedeli:** Thank you very much and welcome. I much appreciated the presentation. I'm just going to find where I wrote my notes.

When we're talking about schedule 16 and FSRA, you're suggesting it doesn't need an amendment but a change of language, and you provide the language.

I would ask the Chair, perhaps, or the Clerk: In order to facilitate a change of this language, does that need to be done in the form of an amendment? It's page 8 of IBC's presentation. I don't mean to be technical, but I just want to accomplish—I've got three minutes to accomplish this, so I want to see that we get it done.

**Ms. Kim Donaldson:** Of course.

**Mr. Victor Fedeli:** Is that only done in the form of an amendment?

**The Acting Chair (Mr. Grant Crack):** We appreciate the effort. It could be a 100% effort, but it would be up to legislative counsel and your opposition party to provide the final amendment that would come before committee.

**Mr. Victor Fedeli:** Yes. But that's what I'm asking: Could changes like this only be done through an amendment, or can they be done in any other fashion?

**The Acting Chair (Mr. Grant Crack):** Through an amendment.

**Mr. Victor Fedeli:** Okay, so we'll determine—if that's okay with you. Will you undertake to provide us with an answer, whether page 8 can be accomplished only through an amendment? Is that fair to ask the Clerks?

**The Acting Chair (Mr. Grant Crack):** Yes.

**Mr. Victor Fedeli:** And we will look for that in the next 24 hours sort of thing because of the deadlines coming up. It is tomorrow, the deadline for amendments.

**Ms. Kim Donaldson:** Thank you. However we get it done.

**Mr. Victor Fedeli:** I felt in my limited legislative experience that this can only be done by an amendment. If it can, I want to make sure that—the amendments close tomorrow, so we will want to put that in there.

**Ms. Kim Donaldson:** Thank you.

**Mr. Victor Fedeli:** Is there anything that you want to add about the changed wording in defence of it?

**Mr. Liam McGuinty:** We've made three recommendations here today. Two of the three we think require wording changes. We've included those on pages 8 and 9 of the deck that we provided. If there's any supplementary information that we can provide to this group that we haven't here, I'm happy to do so, but I think it stands on its own.

**Mr. Victor Fedeli:** Then I'm going to change my request. It's pages 8 and 9. If the Clerks could get back to us very quickly so that we can have enough time to make an amendment, if that is indeed what's needed.

In your opening presentation, you talked about fraud and you talked about exaggerating injuries, pre-existing damage, staged etc. What was the first one you mentioned? I have a dash here and I left it blank.

**Ms. Kim Donaldson:** Misrepresentation of the intended use of a vehicle to save on insurance costs, be it location or function.

**Mr. Victor Fedeli:** Okay. I appreciate that.

Thank you, Chair.

**The Acting Chair (Mr. Grant Crack):** Thank you very much. We'll move to the third party. Mr. Vanthof.



**Mr. John Vanthof:** I was not pleasantly surprised by the 13% figure that's fraudulent. Now with this proposed fraud investigative office, in your experience, are we reinventing the wheel? Are there other jurisdictions that are doing a better job of working together?

**Ms. Kim Donaldson:** Liam?

**Mr. Liam McGuinty:** It's a good question. No, I don't think we're reinventing the wheel, and there are other jurisdictions that are doing a much better job of fraud detection and prevention. The United Kingdom has a fraud office. California has undertaken serious efforts on fraud. There's the California Department of Insurance that has a fraud division that works very collaboratively with insurers.

The difference here, in terms of what the fraud office is going to do, is they've got dedicated investigators and crowns. That is a huge shift in Ontario, and that's going to provide us with resources that we've never had before to look at, I think, organized fraud particularly. I wouldn't describe it as reinventing the wheel. I'd describe this as a real landscape shift for fraud detection in Ontario.

**Mr. John Vanthof:** Okay. With the data you have now, are levels of fraudulent activity different in one part of the province to another part of the province, urban and rural, or is it across the province?

**Ms. Kim Donaldson:** Ben?

**Mr. Ben Kosic:** I would say that generally in the urban centres there's a higher propensity. There are more accidents, there are more vehicles, there are more body shops and things like that, but we don't have statistics right now in terms of allocation.

**Mr. John Vanthof:** Okay. Thank you.

**The Chair (Mr. Grant Crack):** To the government: Mr. Colle.

**Mr. Mike Colle:** I don't know where to begin. First of all, we do know that there are high levels of fraud in certain jurisdictions. We know certain parts of the GTA where there is embedded fraud that's been going on for years. You don't have that data? I'm surprised.

**Mr. Ben Kosic:** What CANATICS has been set up to do is actually not determine fraud but detect suspicious behaviour. Then those leads go to the insurers for investigation. They keep track of their own statistics. So unfortunately, I don't have it.

One could say that because the fraudulent costs fall into the premiums, areas that have higher premiums, one could interpret, have higher incidence of fraud.

**Mr. Mike Colle:** And that's why you have the insurance based sometimes on where you live, because there is very little fraud, I suspect, up in Timiskaming or North Bay, yet in different parts of southern Ontario, there is embedded multi-million-dollar fraud, is there not?

**Ms. Kim Donaldson:** There is.

**Mr. Ben Kosic:** There is.

**Mr. Mike Colle:** Okay. I just wanted to thank the Insurance Bureau of Canada for stepping up to the plate with regard to the innocent co-insured. As you know, that's part of this bill too. It's about time we stop punish-

ing innocent—usually women—victims of domestic abuse who have their houses burned down and aren't covered by insurance because they were on the same insurance policy. Do you want to make a comment on the innocent co-insured and how we're going to change this with this legislation?

**Mr. Liam McGuinty:** First of all, I think we should recognize the work that you've done, Mr. Colle, on the innocent co-insured issue. As you'll know, our board sent out a statement several months ago with a recommendation to our members that they change the wording in their policies as they stand, and now there's a legislative amendment to make that so.

What we're doing, hopefully—we've worked closely with the Ministry of Finance. We're going to have wording that mirrors what exists in the western provinces. You'll have a standard for innocent co-insured protection across the country.

**Mr. Mike Colle:** Thank you. New Brunswick is now going to follow.

The last question I have is the one dealing with contingency fees. As you know, in Ontario, basically there is no way for a consumer to know what they're paying their legal representatives when they get them to represent them in a claim court. They can charge unlimited amounts in contingency fees; then they can charge costs. Well, they can't charge them; it's illegal to do it, but they're doing it.

Do you want to just comment on this huge cost in insurance—the contingency fees, the costs, the administrative fees? Accident victims end up paying—if they get awarded \$100,000, \$75,000 goes to their lawyers. How are we going to stop this? I don't see it in—

**Mr. Liam McGuinty:** I'll be very quick. I know I don't have much time, but contingency fees in Ontario right now are a \$500-million-a-year industry. Some \$96 million of that is taken off the accident benefits portion—

**Ms. Kim Donaldson:** The no-fault.

**Mr. Liam McGuinty:** The no-fault part. That's money intended for income replacement and med rehab benefits. There are some changes coming from the Law Society that will create some more transparency, but there is also a very concerning change where costs and damages will be pooled, and that will be the amount that lawyers can now draw their contingency fee from. So it's a bigger pool.

What this means, in essence, without any other changes in the system, is more money for the lawyers and less money for the clients they're representing.

That requires a legislative amendment, and we're making sure that everyone understands the real implications of that suggested change from the Law Society.

**The Chair (Mr. Grant Crack):** Thank you very much. We appreciate the three of you coming before committee this morning. Have a great day.

MS. JOANNA RADBORD

**The Chair (Mr. Grant Crack):** Next on the agenda we have Joanna Radbord. Good morning, Ms. Radbord.



We welcome you to committee this morning. You have up to five minutes for your presentation. The floor is yours.

**Ms. Joanna Radbord:** Thank you very much. I am Joanna Radbord, a lawyer with Martha McCarthy and Co., whose practice focuses on family law and equality litigation. My bio is at tab 1 of my written submissions.

My remarks will address schedule 15 of Bill 177, which amends section 31 of the Family Law Act. The relevant provision and proposed amendment are at tab 2.

Section 31, as currently drafted, is unconstitutional. It must be amended to ensure that all families enjoy the equal benefit of the law. Section 31 discriminates on the basis of marital status, disability, sex and sexual orientation. Section 31 disadvantages children of unmarried parents. It limits their access to support relative to the children of married parents. Section 31 disadvantages children with disabilities. It limits support to those who are able to attend full-time programs of education, excluding those who cannot attend school full-time due to illnesses or disabilities. Section 31 also disadvantages women, as women more often have financial responsibility for children post-separation. Section 31 disadvantages the children of LGBTQ parents and LGBTQ youth.

0920

Not all parents have been or are permitted to marry. Their children should not have less access to child support. LGBTQ youth, particularly during transition or coming out, may need support and should have the same ability to apply for it, whether their parents are married or not. The need for amendment is clear. Section 31 has harmed the most vulnerable children and produced significant litigation.

My law partner, Martha McCarthy, addressed the unconstitutionality of section 31 in the case *Vivian v. Courtney*. Earlier this year, I was intervenor counsel to Family Alliance Ontario and to Sherbourne Health Centre in *Coates v. Watson*. Our factum from that case is at tab 4. Justice Sullivan ruled in *Coates v. Watson* that section 31 of the Family Law Act is unconstitutional. It unjustifiably discriminated contrary to section 15 of the charter. The court read in an inclusive definition of "child" which mirrored the definition in the Divorce Act. This part of Justice Sullivan's decision is at tab 2. But because it was a provincial court decision, the ruling was not binding in other cases, so charter litigation continues.

I'm currently intervenor counsel to Family Alliance Ontario and to Sherbourne Health Centre in another constitutional challenge to section 31 of the Family Law Act. That case is *Evely v. Fabijanic*. If section 31 is not amended to comply with the charter, it will again be up to a judge to correct the legislation. This is a waste of court time and public resources. Discrimination in relation to section 31 of the Family Law Act must end.

So we were thrilled, then, when the government announced an amendment to the Family Law Act so that it would mirror the Divorce Act; but, unfortunately, the amendment proposed does not treat youth the same without regard to their parents' marital status. As drafted,

the schedule 15 amendment would continue to discriminate. It would disadvantage children of unmarried parents, providing them with more limited access to child support. By focusing solely on illness and disability, it would continue to leave children vulnerable where they are dependent arising from other situations of economic vulnerability.

This is of particular concern in relation to LGBTQ youth. Transitioning and coming out are not respectfully framed as illnesses or disabilities. LGBTQ youth may not be able to attend school full-time, but nevertheless have need for support from both parents. Research shows that 64% of LGBTQ students feel unsafe at school. Many queer and trans youth experience physical assault and verbal harassment. They have need for support from their parents, whether their parents were ever married or not.

**The Acting Chair (Mr. Grant Crack):** Thank you very much. We'll begin with the third party: Mr. Vanthof.

**Mr. John Vanthof:** Thank you very much, Ms. Radbord, for coming forward and for giving your expertise to the committee, specifically on an issue like this. Why would the amendment proposed—what would be the barrier for not changing it the way that you're proposing? It makes sense to me. Could you see what the barrier would be?

**Ms. Joanna Radbord:** I didn't reach the end of my remarks, but, thankfully, I did receive a call last night from the Attorney General himself. The government has agreed to introduce an amendment that would ensure that there would be no discrimination. So they're going to mirror the language of the Divorce Act and insert "or other costs" so that it would expand the reach of the provision. As I understand it, the government is going to be proposing an amendment that's in line with option number two, which is found at tab 2 of my brief. That would solve the problem, and the provision would be charter-compliant.

**Mr. John Vanthof:** Thank you.

**The Acting Chair (Mr. Grant Crack):** We'll move to the government: Mr. Colle.

**Mr. Mike Colle:** So you don't really have to make a deputation.

Anyway, I have a question for you. Here's what bothers me about the Family Law Act. I was just talking about the innocent co-insured. As you know, there has been systematic abuse of women across this province, sadly, by their male husbands, and they've been burning down their houses. Because both of their names are on the insurance policy, the woman, in each case, cannot claim any insurance benefits.

We have a proposal here to change that in this legislation, where we're going to ensure that the innocent co-insured who is the victim of a criminal act does get access to the insurance policy.

But here is the other roadblock these women face across the province: In three cases, the husband goes to jail and is convicted of criminal assault, burning down the house, arson, everything. Then the husband, either in



jail or out of jail, puts in a claim on the house that's still in both their names. So the woman cannot sell the house or clear any debts on the house, because the criminally convicted husband still has the name and is holding the wife hostage by saying, "No, I won't sign anything. You can't get the house unless I get so much money."

What kind of a Family Law Act is this that punishes a woman three times, in this case? Have you run across these cases here? And what can we do about it?

**Ms. Joanna Radbord:** I practise exclusively in family law and charter litigation, not in the realm of insurance. But I will say that we need to continue to make all possible efforts to ensure the safety of women post-separation. To the extent that we can increase funding for legal aid and enhance access to justice for family law litigants, once an experienced family law judge has carriage over a case, we shouldn't have results that further harm women who have been victims of domestic violence.

**The Acting Chair (Mr. Grant Crack):** Thank you very much. We'll move to the official opposition: Mr. Fedeli.

**Mr. Victor Fedeli:** Thank you for your presentation. If I can paraphrase, "Veni, vidi, vici"—you came, you presented, you won. We thank you very much for your presentation. Obviously, your amendment is going through.

**Ms. Joanna Radbord:** All of Ontario has won. Thank you for supporting this important further amendment.

**Mr. Mike Colle:** We have to amend that Family Law Act, though, to protect women.

**The Acting Chair (Mr. Grant Crack):** Thank you very much. We appreciate you coming before committee this morning.

#### ONTARIO BUILDING OFFICIALS ASSOCIATION

**The Acting Chair (Mr. Grant Crack):** Next on the agenda we have, from the Ontario Building Officials Association, the president, Mr. Matt Farrell.

We welcome you to committee this morning, sir. You have up to five minutes for your presentation.

**Mr. Matt Farrell:** Good morning. My name is Matt Farrell. I'm the president of the Ontario Building Officials Association, the OBOA, and have held the role of chief building official for the township of Huron-Kinloss, which is in the county of Bruce, for the past 18 years.

Most of the municipal building officials in Ontario—plans examiners, inspectors and chief building officials—are members of the association. We represent the profession with government and other industry partners, and we train and certify building officials so they can consistently and competently administer and enforce the Ontario building code.

I'm speaking to you today in response to the proposed changes to the Building Code Act included in schedule 2 of Bill 177. If passed, these changes will implement the

recommendations of the Elliott Lake inquiry and subsequent policy round tables, as well as those from the Building Safety Technical Advisory Panel, all of which the OBOA participated in.

Just to be clear, we are fully supportive of the intended changes, but also see these reforms as an opportunity to address some of the key issues facing municipalities, the first being the lack of adequate mandatory minimum standards for practice for building officials.

#### 0930

Currently, the only legal requirement under the building code to practise in Ontario is the assignment of a building code identification number—BCIN—by successfully completing prescribed exams. No specific training, continuing education or work experience is required.

Justice Bélanger stated, in his recommendations coming out of the Elliot Lake commission, that, "Licensing simply on the basis of passing examinations appears to be insufficient to ensure that the requisite skills and knowledge are retained, maintained ... and applied." By contrast, our association provides building code training, professional certification that mandates continuing education, communication services, and a ministry-approved internship program, but only on a voluntary basis.

In 1992, the provincial government assigned the OBOA as the administrator of the certified building code official—or CBCO—designation. To obtain CBCO, an individual has to have completed both technical and skills-based training, proved proficiency in those areas, and have a minimum of three years of work experience. And while a significant number of municipalities have adopted the CBCO designation as their employment standard, it is not a required standard of practice.

Again, to quote Justice Bélanger: "These officials play a crucial role in protecting public safety. They should be given every opportunity to learn and retain the necessary skills and knowledge to be effective in that role".

The Ontario building code is becoming increasingly complex, which means the transfer to municipalities of a broader set of policy responsibilities and potential liability. The building condition evaluation program requirements being introduced in this bill is one of many recent examples.

As the Ministry of Municipal Affairs prepares to develop the framework to introduce mandatory continuing education for the affected building sector professions, the existence of the industry-recognized CBCO program offers a clear opportunity to entrench the accepted market standard of practice in legislation. Doing so would also address the other major problem facing municipalities in that 50% of current building officials practising in the province are eligible for retirement in the next five years. At a time where knowledge and experience are most needed to ensure precise understanding and administration of the building code, municipalities will struggle to find officials who can fulfill those vital roles. A meaningful professional designation is key to future recruitment. It is our recommendation that the ministry acknowledge



the proven effectiveness of the CBCO certification and continuing education model and utilize it as a tool for addressing the other issues I have mentioned.

Thank you for your time, and I'll take any questions.

**The Acting Chair (Mr. Grant Crack):** Thank you very much. We will start with the government: Mr. Anderson.

**Mr. Granville Anderson:** Thank you, Mr. Farrell, and thank you for your support of Bill 177. You alluded to minimum standards. The act does provide that the deputy minister would set some kind of minimum standards. Could you elaborate on who you think would be best suited to set these standards?

**Mr. Matt Farrell:** Obviously, the government is best suited to set these standards. But following the example that the province of British Columbia just recently set, they have an outside agency administer those standards and ensure those requirements are met for them. It's similar to an administrative authority set-up.

**Mr. Granville Anderson:** What are your thoughts about making the information about the inspections etc. accessible to the public?

**Mr. Matt Farrell:** I think that's essential. I think transparency is very important, especially when it comes to the condition of new buildings and, in the case of Bill 177, the introduction of building evaluations. It's important that the public know what the conditions of their buildings are. So the municipalities will have a larger task in providing that information, but it is important.

**Mr. Granville Anderson:** Are there any other points you would like to make?

How much time do I have left?

**The Acting Chair (Mr. Grant Crack):** A minute and a half.

**Mr. Granville Anderson:** Any other points you would like to make?

**Mr. Matt Farrell:** No. Essentially, my purpose here is just to say that we do support the bill and the content in it. It's well needed and reflects a larger issue within building construction processes, but we see this added change as a need down the road.

**Mr. Granville Anderson:** Thank you very much.

**The Acting Chair (Mr. Grant Crack):** We'll move to the official opposition: Mr. Fedeli.

**Mr. Victor Fedeli:** Thank you very much, Mr. Farrell, for your presentation. You mentioned that a significant number of municipalities have adopted the designation even though it's not a required practice. What percentage do you think we're at?

**Mr. Matt Farrell:** Probably, in terms of—about 60% to 70%, mostly smaller municipalities that have smaller staffs, and they look for higher qualifications because these individuals have to do a greater role of responsibilities throughout the code. The code is very extensive. I have to enforce to the whole of the code.

**Mr. Victor Fedeli:** I see a tremendous opportunity for you, through the Ontario Building Officials Association, to do some serious marketing in recruitment. This is a job opportunity. You're no different, in my opinion, than

pilots. We're going to have this massive shortage of pilots in Ontario in next five years. Aircraft maintenance engineers—and I can go on to every sector. This is a really great opportunity. If you and municipalities are struggling to find chief building inspectors and other officials, this, to me, is a perfect marketing opportunity to tell people in Ontario, "There are jobs here, and you should be training for these."

**Mr. Matt Farrell:** I couldn't agree more. That's something that the association has recently undertaken as well: to provide a public campaign to enforce the points you have just mentioned, that, "This is a great job. You are an important part in your community, to provide safe and healthy workplaces." So, yes, thank you for those comments.

**Mr. Victor Fedeli:** I serve 11 mayors in my riding: one urban mayor and 10 rural. We had the 10 rural mayors this summer out to the house for a breakfast, lunch and dinner in an all-day session. One of the biggest discussions we had was, "What the heck are we going to do about the lack of chief building inspectors in our area?" One positive that came out of it was that one community was going to do the hiring of one brand new additional CBO and share on a cost basis with the others. They're also going to share fire inspectors and other jobs—some engineering work. Each is going to hire one and share. It's not that they were trying to be more efficient in terms of dollars; they can't find any. It's not five years from now, in our opinion; it's happening today. There's a real shortage.

**Mr. Matt Farrell:** Yes. That's why we're bringing this forward now. We're competing with other professions as well. We're a little-known profession, and others in the building sector are also facing the same shortages, and we're competing with them to get new high-quality people into our industry.

**Mr. Victor Fedeli:** Any of your marketing that you have, we'll be happy to share that up in the north.

**Mr. Matt Farrell:** I very much appreciate that; thank you.

**The Chair (Mr. Grant Crack):** Mr. Vanthof.

**Mr. John Vanthof:** Thank you, Mr. Farrell, for coming and for presenting your views.

Particularly, I'd like to echo Mr. Fedeli's concerns. I come from rural northern Ontario, and the idea that there's 50% retirement is very worrying for us. People think that all the stresses for building inspection are in the cities, and I'm sure you know that's not the case. In my home municipality, we had a barn construction—a \$4-million construction that didn't last a year before it caved in. Now everybody is pointing fingers, but that's a case where you need very qualified people. Often in cases in rural Ontario, those people are being—rightfully or wrongfully—poached because they know that there are better positions available. That's why it's so important. Could you comment on that?

**Mr. Matt Farrell:** Yes. Your statements are all true. As you know, I come from a rural area as well. It's a struggle trying to keep qualified individuals in those



smaller municipalities because the larger municipalities look for talented people.

I know that in your specific area as well—I have a really close friend who is a building official. He has had every opportunity to move around and take on bigger roles. Luckily, he loves where he is. You have a great area there.

So yes, I couldn't agree more. Some of the issues faced in rural areas and larger urban areas may be different, but the impacts are considerable as well. As you said, there is the large-barn issue that happened a few years ago in Guelph, but that has happened throughout the province and nationally as well. Sometimes it doesn't get the press as other issues do, but we're glad it did come to light and it's being addressed.

**Mr. John Vanthof:** I'd also like to put on the record that, from my personal experience with the building inspector sector, you folks are always under a lot of pressure.

0940

**Mr. Matt Farrell:** Thank you. We try to promote that we have a great job, but nobody wants to do it, so—

**Mr. John Vanthof:** I know, because when I did personal building construction, we're not always happy to see the building inspector. But when the project is done, everyone depends on that product being adequately inspected. Thank you for your work.

**Mr. Matt Farrell:** We're trying to change the perception of enforcement officers to being assistants in the building process.

**Mr. John Vanthof:** Thank you very much.

**The Acting Chair (Mr. Grant Crack):** Good. Thank you very much, Mr. Farrell, for coming before committee this morning.

**Mr. Matt Farrell:** Great. Thank you.

**The Acting Chair (Mr. Grant Crack):** Much appreciated. Have a great day.

#### ASSOCIATION FRANCO-ONTARIENNE DES CONSEILS SCOLAIRES CATHOLIQUES

**Le Président suppléant (M. Grant Crack):** Next on the agenda—le prochain présentateur avec nous ce matin, c'est M. Jean Lemay, le président de l'Association franco-ontarienne des conseils scolaires catholiques.

Je pense que votre présentation est en français, oui?

**M. Jean Lemay:** Oui, monsieur.

**The Acting Chair (Mr. Grant Crack):** Alors, I'd like to just remind members there's your little earbud, if required.

Bienvenue. Vous avez cinq minutes.

**M. Jean Lemay:** Merci, monsieur le Président.

**Le Président suppléant (M. Grant Crack):** De rien.

**M. Jean Lemay:** Mon nom est Jean Lemay. Je suis conseiller scolaire au Conseil scolaire de district catholique de l'Est ontarien, dans la circonscription de M. Grant Crack, en passant. J'ai l'honneur et le privilège

d'être le président de l'Association franco-ontarienne des conseils scolaires catholiques depuis 2014.

L'AFOCSC appuie la création du Consortium Centre Jules-Léger. Le Centre Jules-Léger est un centre qui rend des services à tous les élèves qui ont des problèmes de vue et d'ouïe et des problèmes majeurs en adaptation. Donc, ce sont les plus démunis en province, les élèves francophones qui se retrouvent dans ce centre-là.

Nous soutenons également que la composition des membres du nouveau conseil qui va être formé par le consortium va être de trois conseillers francophones catholiques et de trois conseillers francophones publics. Donc, je crois que nous pourrions, dans un très court délai, nommer les trois conseillers de chaque association pour former ce nouveau conseil scolaire. De plus, je crois que nos collègues provenant de l'Association des conseils scolaires des écoles publiques de l'Ontario pourront faire de même.

En mai 2016, avec nos collègues de l'ACÉPO, nous avons présenté à la division de l'éducation en langue française un mémoire décrivant le modèle de collaboration en termes de gouvernance. Nous avons ensemble identifié quelques principes directeurs :

—l'équité au niveau de la représentation, donc trois et trois;

—la simplicité du modèle de gouvernance et l'efficacité d'un modèle de gestion;

—l'importance de miser sur les grandes orientations;

—la remise de la gestion quotidienne aux experts;

—la représentation de partenaires experts pour l'établissement d'un éventuel centre d'excellence. On insiste là-dessus : on veut que le Centre Jules-Léger devienne un centre d'excellence et de formation pour nos enseignants francophones;

—la voix des parents renforcée et le ralliement des différents secteurs associés aux expertises du centre, en plus de la responsabilisation, la transparence et l'imputabilité.

Nous sommes heureux de constater que la plupart de nos principes directeurs se retrouvent à l'intérieur de l'extrait du projet de loi omnibus pour la création du Consortium Centre Jules-Léger.

Donc, notre vision pour le Centre Jules-Léger renouvelé est simple : le centre doit répondre aux besoins de tous les élèves de la province nécessitant les services de cet établissement. Donc, des problèmes de surdité, des problèmes de vision et des problèmes majeurs en comportement—ces trois identifications-là. Les élèves vont se retrouver dans ce centre-là. Ils vont nous être fournis par nos 12 conseils de langue française de l'Ontario. Donc, on va couvrir toute la province avec ça.

De plus, l'expertise d'une équipe interdisciplinaire provinciale est essentielle au succès d'un tel établissement et doit être soutenue par la recherche dans ses domaines d'expertise, d'où le besoin de créer un volet de recherche, le noyau du centre renouvelé.

Permettez-moi maintenant de vous présenter quelques éléments découlant de l'extrait du projet de loi.

Comme la gouvernance est assurée par et pour les francophones, il est tout à fait normal que les enseignants

et les enseignantes syndiqués du centre fassent partie de l'Association des enseignantes et des enseignants franco-ontariens, l'AEFO. Nous appuyons donc cette recommandation. Puisque ce sont les enseignants qui se retrouvent partout dans nos 12 conseils de langue française, on veut aussi que ce soit ces mêmes enseignants qui se retrouvent au Centre Jules-Léger. Nous proposons également que le personnel de soutien syndiqué soit aussi représenté par l'AEFO. Donc, on veut que le projet de loi aille un peu plus loin pour le faire. Ce syndicat représente déjà des membres syndiqués non enseignants dans nos conseils respectifs. On parle d'éducateurs et de personnel qui ne sont pas enseignants. Donc, on voudrait que ce soit sous la même bannière.

Dans la clause 13.1(5)a) et (6) de l'extrait du projet de loi omnibus qui traite du transfert du Centre Jules-Léger, il est mentionné que le consortium doit être en mesure d'entretenir et de faire fonctionner les écoles du consortium. Aussi, ce consortium doit dispenser un enseignement aux élèves qui fréquentent une école et est tenu de fournir des installations adéquates au cours de chaque année scolaire.

Nous recommandons que le gouvernement de l'Ontario, suite à une inspection des lieux existants jugés adéquats par les membres du consortium, transfère au consortium les établissements existants, ainsi que le terrain sur lequel reposent ces établissements.

Advenant que les installations soient jugées insatisfaisantes suite à une inspection des lieux, nous recommandons que le gouvernement de l'Ontario subventionne la réfection des installations scolaires afin que celles-ci soient aptes à accueillir des élèves en toute sécurité. Si cela s'avère impossible, au cas où les coûts de réfection seraient exorbitants, nous recommandons que le gouvernement de l'Ontario facilite l'achat d'un terrain pour héberger la nouvelle école ainsi que la nouvelle école d'application, en plus d'une résidence pour héberger les élèves qui devront y séjourner pendant leurs études.

En plus de cet argent, nous recommandons que le budget du Centre Jules-Léger soit en mesure d'appuyer l'enseignement et l'apprentissage et que ce budget soit flexible pour rencontrer les priorités qui seront identifiées par les membres du consortium. Le succès du Centre Jules-Léger renouvelé dépendra certainement de la qualité de l'éducation dispensée par le personnel hautement qualifié et des équipements à la fine pointe de la technologie pour appuyer les élèves dans leur apprentissage ainsi que des parents engagés—

**Le Président suppléant (M. Grant Crack):** Merci beaucoup.

**M. Jean Lemay:** Merci.

**Le Président suppléant (M. Grant Crack):** Je vous ai donné 40 autres secondes.

Alors : monsieur Fedeli.

**M. Victor Fedeli:** Bonjour. Merci pour votre présentation. Avez-vous des amendements spécifiques?

**M. Jean Lemay:** On veut s'assurer aussi que, s'il y a des cas de cour pendants—en d'autres mots, s'il y a

des cas de cour qui ont été soulevés avant le transfert vers le consortium, on veut que ce soit le ministère de l'Éducation qui puisse régler ces cas-là, avant que ça nous tombe dans les mains. Donc, on veut s'assurer qu'on n'hérite pas des cas de cour qui auraient eu lieu ou qui seraient là avant. Ça, c'est une recommandation; puis aussi, la deuxième que j'ai mentionnée, le transfert de l'école comme telle et du terrain au consortium.

**M. Victor Fedeli:** Merci.

**Le Président suppléant (M. Grant Crack):** Monsieur Vanthof.

**M. John Vanthof:** Merci beaucoup, monsieur Lemay, pour venir. Je peux comprendre très bien, mais pas parler assez bien. So je vais parler en anglais.

**Mr. Jean Lemay:** I can answer in English if you want.

**Mr. John Vanthof:** I think, from what I got out of your presentation, we fully support l'école Jules-Léger and we support the transfer. I think what I got is that we have to be cognizant that, along with support of the transfer, you also have to make sure over the long term that you have the funds to provide the student support. I know in my riding, as an example, I have a very high francophone population, about 40%, and several of my residents have been helped very much by the Centre Jules-Léger.

But I think, in the long term, you need the stability to be able to provide the support. Is that one of the things you were—

**Mr. Jean Lemay:** This is exactly one thing that we have to have. If we're going to build a new and excellent centre, we need to have the funds available to be able to do that.

You have to remind yourself that the pupils in this school are very much disadvantaged. They have problems hearing, sometimes they can't hear at all or they have no vision at all, and they have major problems in school adaptation. So they are forwarded to this centre, and we have expertise in that.

If we want to be able to perform, as we are performing right now in the French-language school boards—we are at the top of the class right now with the best results in math, reading and writing, and we also have the best graduation rate—we have to make sure that this continues for that school also.

**Mr. John Vanthof:** What would be the advantage of transferring the ownership of the site?

**Mr. Jean Lemay:** We are thinking ahead. Right now, we have daycares in most of our schools, and child care services are not offered in this school right now. If we have to ask the owner of the building if we can put a nail in the wall or put a division in there or to do something, it's going to be really, really—it's going to put us off years and years. Having their own building, like we have on the French boards—we own our own buildings and we own the land that they're on. We don't have to ask anybody. If we want to open a daycare, we build it and they show up.

0950

**The Chair (Mr. Grant Crack):** Final comment.



**Mr. John Vanthof:** Because school boards have lots of experience at building management.

**Mr. Jean Lemay:** Yes.

**Mr. John Vanthof:** Thank you very much.

**The Chair (Mr. Grant Crack):** Merci beaucoup. We'll move to the government: Madame Martins.

**M<sup>me</sup> Cristina Martins:** Merci. Bonjour, monsieur Lemay. Merci d'être ici aujourd'hui. Notre gouvernement est engagé à être à l'écoute des Franco-Ontariens. Le transfert de gouvernance du Centre Jules-Léger est une réponse de notre gouvernement aux requêtes de la communauté franco-ontarienne, et c'est la première fois qu'on fait ce transfert comme ça. Pouvez-vous partager avec le comité ce qu'apportera une gouvernance par et pour les francophones du Centre Jules-Léger?

**M. Jean Lemay:** Pour moi, ça fait à peu près deux ans—ça fait plus longtemps que ça que je connais le centre, mais ça fait deux ans qu'on travaille pour le transfert. En 1998, quand les conseils de langue française ont été créés, on s'est donné du temps pour améliorer le système. Si on regarde aujourd'hui, notre amélioration après 20 ans est exceptionnelle. Donc, on veut faire la même chose avec le centre. On a des demandes de parents qui nous disent « Bien, on aimerait ça envoyer nos élèves là, mais c'est le ministère de l'Éducation et c'est quand même assez dur d'avoir accès aux fonctionnaires du ministère de l'Éducation. » Tandis qu'en ayant un conseil scolaire là—avec des conseils scolaires qui sont là—ils peuvent influencer, au niveau local et au niveau de la province entière, les membres du comité.

Il faut penser que ces membres sont élus par la population. Les membres qui vont être là sont élus par la population des 12 conseils scolaires francophones. Donc, ils ont un accès direct à la population. Ils doivent répondre à la population directement. Donc, on va avoir un mouvement plus local dans la gestion—et puis, on pense qu'on comprend mieux les besoins des francophones par des francophones : par et pour des francophones. C'est pour ça qu'on demande la gouvernance. C'est un centre francophone et on se dit : « Bien, ça va être la création d'un nouveau conseil francophone pour représenter la population francophone avec les besoins qu'ils ont en français. »

La langue des signes en français, ce n'est pas la même chose que les autres. Ensuite, il y a plusieurs choses qui se passent, et ça se passe en français. Ces jeunes-là nous arrivent avec une identité francophone. On veut la maintenir. On veut maintenir cette identité-là. On pense qu'on l'a prouvé, depuis les 20 dernières années, que les conseils francophones, on performe très, très bien : un taux de diplomation à 98 %. En tout cas, on a des résultats scolaires qui tirent la province vers le haut. Pour moi, c'est très important que la gouvernance et la gestion du centre reviennent aux francophones pour en faire un centre d'excellence. C'est surtout pour ça.

**M<sup>me</sup> Cristina Martins:** Et à date, presque 40 % des Franco-Ontariens vivent dans la région du centre-sud-est de la province. Les experts estiment que d'ici deux ans,

presque la moitié des francophones de la province vivront dans cette région.

**M. Jean Lemay:** Oui.

**M<sup>me</sup> Cristina Martins:** Pouvez-vous partager avec le comité l'impact qu'une université de langue française peut avoir pour la vitalité de la région?

**M. Jean Lemay:** Certainement. Je suis de l'Est et je pense que le Président connaît ma région très bien. Il la représente.

On a des institutions francophones dans la région de l'est—en d'autres mots, l'Université d'Ottawa et La Cité collégiale. Donc, on se dit qu'on a cette ouverture-là. Mes élèves qui graduent du sud de l'Ontario en 12<sup>e</sup> année—quelle ouverture ont-ils? Ils doivent s'expatrier, soit dans l'Est ou soit dans le Nord, pour aller faire leurs études. Savez-vous ce qui arrive? Ces élèves-là font une vie dans ces régions. Ils ne reviennent pas dans la région. Pour que les élèves puissent graduer de nos 12<sup>e</sup> années de nos secondaires, s'en aller à l'université ou aux collèges francophones—n'importe lequel—ils doivent rester dans leur région, étudier dans leur région et puis continuer à vivre dans leur région. C'est de cette façon-là que la vitalité francophone va exister partout.

On sait que dans la région du Sud, en d'autres mots Toronto et les environs—Niagara et tout, St. Catharines—il y a beaucoup de francophones qui doivent s'expatrier pour aller étudier en français à l'Université d'Ottawa, qui n'offre souvent pas tous les cours dans toute la gamme en français. Ils font quelques années en français puis ils finissent en anglais; mais ça crée des élèves parfaitement bilingues qui—on aimerait qu'ils restent dans leurs régions respectives, et ce n'est pas ça qui se passe.

**Le Président suppléant (M. Grant Crack):** Merci beaucoup. Merci, monsieur Lemay, pour votre présentation. Aussi, je veux souhaiter la bienvenue à M. Benoit Mercier, le directeur général. Merci et bonne journée.

**M. Jean Lemay:** Merci de m'avoir reçu, monsieur le Président.

#### ONTARIO FEDERATION OF LABOUR

**The Acting Chair (Mr. Grant Crack):** Next, we have on the agenda, from the Ontario Federation of Labour, Mr. Chris Buckley, who is the president, and I believe Mr. Rob Halpin, the executive director, as well. We welcome the two of you before committee this morning. You have up to five minutes for your presentation. The floor is yours.

**Mr. Chris Buckley:** Good morning. My name is Chris Buckley. I'm the president of the Ontario Federation of Labour. To my left is our assistant, Rob Halpin. The OFL represents 54 unions and a million workers here in Ontario.

I'm here to speak to Bill 177. I'd like to address two sections in the bill in particular. First, schedule 30, regarding Ontario's Occupational Health and Safety Act, and secondly, schedule 33, regarding pensions.

I'll begin with the OHSA. The Ontario Federation of Labour is very concerned about the proposed changes in schedule 30 of Bill 177, notably those that first provide authority to the deputy minister of the Ministry of Labour to establish written directives for use by inspectors regarding the interpretation, administration and enforcement of the act and its regulations, then allow the authority to be granted to an assistant deputy minister, and finally, add a legal requirement that inspectors comply with the directives. These amendments allow a deputy minister, in essence, to write law that bypasses the Legislature and cabinet. These changes undermine the legal authority of the Ministry of Labour's inspectorate.

Instead of making these amendments, the OFL submits that the Minister of Labour must be empowered to better manage consistency of enforcement and that this issue should be dealt with through the ministry's labour management process, for which the Minister of Labour already has authority and responsibility. It is the responsibility of the MOL as an employer to ensure that all MOL employees, from senior management to front-line staff, have the training and skills required to do their jobs.

During the SARS crisis in the spring of 2003, inspectors were forbidden to deal with the health and safety concerns of health care workers. They were directed to refer inquiries etc. to their managers. This was bad policy which put health care workers at risk. The outbreak killed 44 people. In his report on the SARS crisis, Justice Archie Campbell, who conducted a public inquiry into the outbreak, noted that the Ministry of Labour was sidelined during the outbreak. This was largely a result of deliberate decisions made by senior levels of the Ministry of Labour.

We are concerned that, if these powers are granted to a deputy minister, similar decisions could be made without the transparency of the legislative process, but which would have the power of law. In our submission, you'll find a document with more detailed concerns and a list of the proposed changes we support for schedule 30.

The second part of Bill 177 that I would like to address regards pensions. The OFL remains committed to strengthening the security of workplace pensions and ensuring pension coverage for all workers across the province. Over the past several years, workers have seen unprecedented attacks on their defined benefit workplace pension plans. Employers are increasingly attacking traditional, guaranteed defined benefit pensions, proposing massive benefit cuts or an outright conversion to target benefit or defined contribution plans.

This trend towards decreased benefit security is unacceptable. In response, the OFL has outlined six changes to Bill 177, all of which you can find in our written submission.

We know that the Pension Benefits Guarantee Fund is an effective alternative to solvency funding in terms of providing benefit security to pension plan members. PBGF was created in 1980, and the \$1,000 benefit limit has not changed since that time. Bill 177 proposes an

increase to \$1,500. It still fails to keep up with inflation. At a minimum, PBGF coverage should immediately increase to \$3,000 per month, and it should be indexed to inflation going forward.

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Bill 177 also fails to provide beneficiaries with a voice in the decisions that affect them. Ontario has in the past required member consent for the most significant forms of solvency relief. Any reform to solvency funding must include a consent mechanism so that the trade-off between benefit security and other objectives are under the control of members most affected by that trade-off. Unfortunately, there has also been an increasing and troubling trend towards introducing legislation that allows significant changes to be made through regulations where there is less public transparency and debate. Important measures, such as a solvency funding ratio, should be enshrined in legislation to provide workers with greater certainty in terms of their benefit security.

The changes that I'm calling for today will increase the safety and security of all Ontario citizens. I urge you to be part of ensuring that Ontarians can live in safety and security throughout their working lives and into retirement. Thank you for your time this morning.

**The Acting Chair (Mr. Grant Crack):** Great job. Right on time. I appreciate it.

Over to the NDP: Mr. Vanthof.

**Mr. John Vanthof:** Thank you to the OFL, Chris and Rob. We share all of your concerns regarding the pension issue. Particularly, we've been trying to get the government to pull this out of the bill to have its own fulsome discussion because of those exact issues. We're talking about a lot of regulation changes where we don't even know what's proposed. A lot of these things are based on a statement by the minister, but they're not actually in the bill. Do you feel, as well, that this shouldn't be rushed through in an omnibus bill and that we should have an actual pension discussion about this, a pension debate about this?

**Mr. Chris Buckley:** Absolutely. What has been going on for several years across this province—in my former life, I was the chairperson of the GM master bargaining committee for Canada. I had to, with the help of our national president—at that time, Ken Lewenza—steer us through the auto crisis. The government loans were absolutely critical for General Motors and Chrysler to survive. In return, our members and retirees had to make significant sacrifices. In return, General Motors' members were taken out of the pension guarantee fund because of the loans that were provided. We had to make some very difficult decisions, and if we hadn't made those decisions, if General Motors didn't receive the loans, General Motors would not be in the province or in the country today. I'm confident of that.

Let's look at what's going on right now with Sears. My mother is a Sears retiree. I remember it like it was yesterday when she called me about two months ago when she received a letter that, at the end of the month, she no longer had health care benefits. She's 78 years



old, requires six prescriptions, has no health care benefits, and now she sits on pins and needles wondering if she's going to get her small pension for the rest of her life. That's no way for any worker in this province to live.

So I totally agree. We should have a thorough discussion across this province on ensuring that no retiree ever has to be put in that position again. People work their entire lives to be able to retire with respect and dignity and a form of comfort. The uncertainty in a province as great as Ontario shouldn't exist.

**Mr. John Vanthof:** Particularly when the government has campaigned on the Ontario pension plan, yet they seem to be trying, in our opinion, to slip this by—could you comment?

**Mr. Chris Buckley:** Well, as far as slipping it by, you folks do this every day. I deal with reality. I deal with workers, and I deal with people's lives. Again, I think collectively we should put in some concrete measures to ensure that retirees are not put in that position again.

**The Acting Chair (Mr. Grant Crack):** Over to the government: Mr. Baker.

**Mr. Yvan Baker:** Good morning. Thank you both very much for coming in, and thank you for your advocacy for workers and around pensions.

I've been elected for the last three and a half years, since 2014, and I know that since that time, this is an issue that we've spent quite a bit of time on as a government. Going back to the ORPP and the work the Premier did and the leadership she showed across Canada to make sure that we enhance pensions, I think it's fair to say that the CPP enhancement wouldn't have happened if it weren't for the Premier's leadership on that. I know you've been strong advocates on that issue. All of this is to say that I think we, on this side at least, recognize the importance of making sure that people have security in retirement. That's very, very important. We're trying to do everything we can to make sure that happens.

Going back to the specifics of this particular piece of legislation: Of course, I know you commented on the Pension Benefits Guarantee Fund and I've heard your proposal and I'll take that back. I appreciate that. This particular bill would provide for a 50% increase in the monthly pension guarantee under the PBGF. I can also say that this is enabling legislation, so obviously the regulations that make this possible, that make this a reality, are going to be up there and consulted on.

I guess my question to you would have two points. One is that I would disagree strongly with Mr. Vanthof, who suggests that somehow we're trying to slip this by. This is something that we're very open about. Our intentions are transparent, and we'd like to hear from people like yourselves on those regulations.

But what would you recommend we do as we go forward on these regulations to make sure that we hear from you and others who have strong views on this issue?

**Mr. Chris Buckley:** Well, I would suggest that the more transparent you can be, the better off everybody is

going to feel and the less you're opening yourself up to criticism. The fund hasn't been increased since 1980. We appreciate that it's going to go up to \$1,500, but take a look at the real world and take a look at how expensive it is to live around here.

You talk about the enhanced CPP. That was a great strategy that got everybody around the room at the same table, and we ended up with enhanced CPP for all Canadians across the country. That was a good strategy, but there is still so much work to be done.

Pensions are important. Do you know what? I'm 56 years old. I've just become retirement-eligible with my employer that I'm on a leave of absence from, General Motors. I hope I get a pension out of them someday—I really do—the pension that I've earned after working for them for 30 years. But I'm not confident that I will. I'm not confident that these big companies are going to stick around this province or stick around this country.

There is so much uncertainty and there has been so much turmoil and so much job loss. That's not the fault of anybody here at Queen's Park. There have been decades of people taking their eye off the ball. But I've said it every time I'm here—and I know you folks have a job to do, regardless of what political party you belong to—collectively, we can do so much better in this province—collectively.

I appreciate the efforts from the Liberals, from the Conservatives, from the NDP. I truly do. But I'm elected to make this the best Ontario I can for working people, whether they belong to a union or not.

**The Acting Chair (Mr. Grant Crack):** Thank you. We appreciate that. Mr. Fedeli.

**Mr. Victor Fedeli:** Thank you very much for your presentation this morning. I wanted to join with the member from Timiskaming-Cochrane in the fact that there are 46 schedules here. We asked every single day for unanimous consent to break this into more than one omnibus bill. Sadly, it got voted down every day. One of you used the words, "slipped this in." We feel the same way, by the way, but 46 times.

We're concerned that there are a lot of issues here that should be pulled out and dealt with independently. We're concerned that the debate was truncated in the Legislature. Not everybody in our party—in fact, a very few people got to even speak on this, so we're concerned about that, Chris.

I'll ask you, do you have any very specific amendments that you want to see? You've got recommendations and some thoughts on here, but is there any language?

**Mr. Chris Buckley:** I'll turn it over to Rob. He deals with all of the technical stuff.

**Mr. Rob Halpin:** Thank you for the question, and thank you to the committee for allowing us to be here today.

With respect to the nature of an omnibus legislation: I've been watching this Legislature for many moons. In fact, even when the Conservatives were in government, I recognized many omnibus bills passed at that point as well; right? I want to clarify that at the start.

But I want to say this to you, Mr. Fedeli—I want to talk specifically about the changes required under the Occupational Health and Safety Act that are being proposed in schedule 30. One piece that I think should absolutely be removed—and you'll see, at the start of our submission, we've made some comment on some of the positive things that are coming out of this, and certainly recognizing the need for change that emerged from the Algo Centre Mall collapse and recognizing the importance of what Justice Bélanger discussed that needed to occur and giving the ministry the power to do that. The ministry has the power to do that. They can put policies and procedures in place and they can manage the inspectorate to streamline those policies so that if in fact they show up at a place where there are structural problems or concerns, they bring a professional engineer with them—many of them on staff at the Ministry of Labour as well.

We've made some positive suggestions about some of the good things that are happening in this legislation, but certainly we've asked that that piece, the power for the deputy minister to be the one creating the directive, be removed. The policies and procedures are how the ministry runs; that's how this should be dealt with. I think what we've provided as our concern over that should be well understood. We have to talk about transparency and openness.

So that would be a major piece, if we're looking at that one particular schedule that absolutely needs to be pulled. It's the first bullet point of the legislation that calls for the deputy minister to have the power to set the directive. We believe that should be done through the process, the policies and procedures manuals, and we've made some good recommendations on making that occur.

Thank you for your time.

**The Acting Chair (Mr. Grant Crack):** Thank you very much. I thank everyone for their hard work this morning, and thanks for your insight.

**Mr. Rob Halpin:** Thanks again for the opportunity.

**The Acting Chair (Mr. Grant Crack):** You're welcome. Have a great day.

Having said that, this committee now will recess until 1:30 p.m. when we will continue further public hearings on Bill 177. This meeting is recessed.

*The committee recessed from 1011 to 1330.*

**The Clerk of the Committee (Mr. Eric Rennie):** Good afternoon, honourable members. In the absence of the Chair and the Vice-Chair this afternoon, as the Clerk of the Committee, it is my duty to call upon you to elect an Acting Chair for the start of the afternoon. Are there any nominations for Acting Chair? MPP Colle.

**Mr. Mike Colle:** I move that the member from Mississauga—Streetsville be nominated as Acting Chair.

**The Clerk of the Committee (Mr. Eric Rennie):** Mr. Colle has moved that Mr. Delaney serve as Acting Chair. Mr. Delaney, do you accept the nomination?

**Mr. Bob Delaney:** Yes.

**The Clerk of the Committee (Mr. Eric Rennie):** Wonderful. Are there any further nominations? Seeing

none, Mr. Delaney, could you please come assume the chair as Acting Chair?

**The Acting Chair (Mr. Bob Delaney):** Okay. I bring you greetings from our Chair, Han Dong, who has a conflicting event that takes precedence. He's in the House making a brief statement. He should be here in about 15 minutes.

Good afternoon, everybody. We're meeting today for public hearings on Bill 177, An Act to implement Budget measures and to enact and amend various statutes. For those who are giving a presentation today, each deputant will receive up to five minutes for their presentation, followed by nine minutes of questioning from the committee in rotations of three minutes each. Are there any questions before we resume this afternoon? Going once, twice? Gone. Thank you.

#### ONTARIO NURSES' ASSOCIATION

**The Acting Chair (Mr. Bob Delaney):** Our first witness this afternoon then will be the Ontario Nurses' Association. Simran Prihar, senior legal counsel, would you please come forward? Good afternoon and welcome.

**Ms. Simran Prihar:** Good afternoon, thank you.

**The Acting Chair (Mr. Bob Delaney):** As I mentioned, you've got five minutes for your presentation. Would you first begin by introducing yourself for Hansard and then continue?

**Ms. Simran Prihar:** My name is Simran Prihar. I'm with the Ontario Nurses' Association, which is the union representing over 65,000 registered nurses and health care professionals in Ontario.

Our comments today focus exclusively on schedule 45 of Bill 177. We are here to thank the government and strongly endorse the amendments that have been put forward for the Workplace Safety and Insurance Act in schedule 45, particularly the addition of subsection 13(4.1), which brings mental stress injuries directly in line with physical injuries. ONA is thrilled. We're actually in the middle of our biennial convention and announced these amendments on Monday, and 1,000 nurses were cheering for these amendments. We'd like to commend the government on this action.

We are here in support of the amendments. Just to reiterate: You have heard from ONA before on this issue, and we have made previous submissions and we are thankful that the government has heard our submissions with respect to bringing mental stress injuries in line with physical injuries.

The amendment to subsection 13(4.1) brings mental stress injuries in line with physical injuries in terms of the definition of insurable injuries and accidents under the act and board policy. While our workers will still have to work within the chronic mental stress and traumatic mental stress policies, which ONA has also spoken about before, having this explicit reference in the act, we feel, will provide significant guidance to the board and, hopefully, align the policies with the legislative direction.



Another further positive change in the amendments is the retroactivity amendment that is also under section 13. This will allow the new mental stress provisions that come into effect in January to be retroactive to April 29, 2014, which is the date of the release of the WSIAT decision in ONA's charter challenge to the Bill 99 stress provisions.

These retroactivity provisions are welcomed, and we are grateful that the government listened to our previous submissions on this issue. We wanted to say thank you. It will also allow our pending cases before the WSIAT to be returned to the WSIB and be adjudicated under the new provisions, which is good news for our members.

We are thrilled that the government has listened to stakeholders like ONA when it comes to mental stress injuries. This is the right thing to do: moving forward with these amendments, which are very important for all workers who suffer from these types of injuries and have historically been treated inequitably with respect to them versus a physical injury. Should a nurse now, or any worker in Ontario, get injured in the course of their work, they will be treated equally and they deserve this. For this reason, we wanted to thank the government for doing the right thing with respect to these proposed amendments and also to strongly endorse that they be passed. Thank you.

**The Acting Chair (Mr. Bob Delaney):** Thank you very much. Our rotation will begin with the government. Mr. Baker.

**Mr. Yvan Baker:** Thank you very much for coming in and, frankly, for your advocacy on this issue over the course of a long time. I've had the opportunity to hear from your representatives, not just here at the committee, but you've come to speak to me and, I presume, many other members on this issue, and many others. I just want to, first of all, start by applauding you, ONA, for your advocacy.

As you alluded to, we announced in the spring budget that we were going to expand WSIB entitlements to those diagnosed with chronic mental stress. Really, what's in this particular bill is that, as you alluded to, this will apply now to all new cases diagnosed on or after January 1, 2018, all cases currently with the WSIB appeals tribunal and all new cases diagnosed on or after April 29, 2014.

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I think Minister Hoskins, our Minister of Health, often says that there's no health without mental health. Can you just speak a little bit to how expanding this chronic mental stress entitlement to include those claims currently in the system that I've talked about, or those that have been diagnosed since April 29, 2014, will benefit those you represent?

**Ms. Simran Prihar:** Absolutely. Under the previous provisions, those currently in the system were not going to have access to the new expanded definition. That has been a huge challenge. The charter challenge was decided in 2014, and we felt strongly that that was really the right time for these amendments to be retroactive to

because, since then, not just ONA members but other workers around the province have been relying on that decision and trying to get to the board. But without any legislative force behind it, it's been a battle each and every time. Now, with this, we feel that going back and being able to take those—which are now in appeals—back to the board level would be quicker. Things will get resolved faster and our members will get the results that they deserve in a timely manner. We think it's going to have a hugely positive impact.

**Mr. Yvan Baker:** Okay. Thank you very much for your participation.

**The Vice-Chair (Mr. Han Dong):** That's it?

**Mr. Yvan Baker:** Yes.

**The Vice-Chair (Mr. Han Dong):** Thank you very much. We'll now go to the PCs: MPP Fedeli.

**Mr. Victor Fedeli:** Thank you very much and welcome. You had mentioned in your proposal here about proposed amendments. Can you talk to us a little bit about that?

**Ms. Simran Prihar:** The proposed amendment on page 2, you're talking about that?

**Mr. Victor Fedeli:** Yes.

**Ms. Simran Prihar:** So previously the WSIA was amended by Bill 127, and we did make submissions at that time as well. That was when the mental stress injuries were added in to the act in the first place. In that bill there was another provision that gave the board new powers to direct policies at this issue. We did caution at that time about the dangers of allowing the WSIB to do this. That went ahead and the WSIB did in the fall confirm ONA's concerns by introducing two policies with respect to mental stress injuries, which are significantly more onerous in terms of what you have to do as a worker to claim benefits for those types of injuries, than if you had a physical injury.

Without getting into the full specifics, there are more barriers if you have a mental stress injury than if you have a physical injury. And so ONA has been going forward at the board to challenge those requirements. We strongly feel that these new proposed amendments will help in that regard because the board should align their policies with the legislation.

**Mr. Victor Fedeli:** Are these the same or similar amendments that you put in the last round?

**Ms. Simran Prihar:** You mean the ones that are coming in now?

**Mr. Victor Fedeli:** Yes.

**Ms. Simran Prihar:** This is actually slightly different. Mental stress was introduced into the act the last round and now subsection 13(4.1), which is the new amendment that's being introduced, specifically states that mental stress injuries should be treated in line with physical injuries. That is a new and different provision which we think will really help us at the board.

**Mr. Victor Fedeli:** Thank you very much. Thank you, Chair.

**The Vice-Chair (Mr. Han Dong):** Thank you very much. Now we go to NDP—they're not here, so, thank

you very much for your presentation and thank you for coming.

**Ms. Simran Prihar:** Thank you for having me.

#### ONTARIO SKILLED TRADES ALLIANCE

**The Vice-Chair (Mr. Han Dong):** Next presenter: We have the Ontario Home Builders' Association. Good afternoon. Thanks for coming. Please state your name before your presentation. You have five minutes.

**Mr. Joe Vaccaro:** Good afternoon. My name is Joe Vaccaro, and I'm actually here on behalf of the Ontario Skilled Trades Alliance. I serve as the CEO of the Ontario Home Builders' Association. I'm joined by Kathy Inch. Kathy is the director of the Ontario Hairstylists Association and a fellow member of the OSTA.

The OSTA represents 41 employer association members employing over 400,000 skilled tradespeople across Ontario. The OSTA represents companies that build transit, hospitals, bridges and homes. They provide professional and personal services like hairstyling and automotive repair. Our members are united by a common goal of closing the skills gap in Ontario.

Our deputation today will focus on two important changes to apprenticeship that were highlighted in the fall economic statement. Our advice to the minister earlier this year was to take an apprenticeship perspective on the system as government considers changes, thinking about the pathways and barriers apprentices need to navigate. We are pleased that the ministry took this approach as they consulted with stakeholders on ways to modernize the apprenticeship system in Ontario.

The OSTA is pleased with the direction of that consultation, and we are happy to see two important changes that should help in improving apprenticeship completions in Ontario. One thing employers that the OSTA represents continue to press upon government is that apprenticeship opportunities and completions can only happen when there is an employer that is willing and able to hire an apprentice. Without employers, the system does not work.

The new GAGE program is a recognition that the province understands the importance of supporting employers that provide apprenticeship opportunities to train the next generation of skilled tradespeople. Before I pass it on to Kathy to discuss in more detail our support of GAGE, I will speak of our support for the apprenticeship pooling in the fall economic statement.

Pooling is a concept used in some sectors with success. It allows the apprentice to gain their on-the-tools training while moving between different employers and learning different skills. A traditional apprenticeship model has the apprentice working with a single employer. Pooling will allow for a full training experience for apprentices.

We believe that pooling has a real ability to open up the apprenticeship system to smaller employers that have concerns with the paper burden and obligations of an apprenticeship for several years. This is potentially a

transformative idea, and OHBA and the other OSTA members look forward to continuing to engage government on how this might increase apprenticeship completions in Ontario.

Kathy will now discuss the graduated apprenticeship grant.

**Ms. Kathy Inch:** Hi, and thank you for having us here today. I would like to comment on GAGE. The graduated apprenticeship grant program has been a significant program to help the hairstyling trade. First of all, the hairstyling trade is now part of this, when it never was before. It has been a new addition, and it has really changed the way employers can look at completing apprenticeships.

As we've looked at and been discussing for so long, the completion of apprenticeships has been an issue. Hairstyling is a trade that has moved around a lot. For a hairstylist to stay with one employer for a long time is extremely difficult. This allows for a grant of about \$2,500 in years 1 and 2 for an employer to complete an apprenticeship program with stylists and other trades. In years 3 and 4, it goes up to as much as \$3,500, and can be \$4,700 when they actually reach completion. Depending on the size of the program, an employer can get over \$19,000 in assistance for an apprentice to complete a program.

In the old days, we had tax cuts and tax benefits that were so complex that they were very rarely used, and were not available to most trades that I'm aware of, certainly not to the hairstyling trade in the way that this is now. We're very grateful and very hopeful that this will really help close the skills gap in terms of hairstyling, as it is something that will now be accessible, I think, to a very large portion of hairstylists.

**Mr. Joe Vaccaro:** In conclusion, we still have a ways to go. Data from the 2016 census on apprenticeship completions released last month shows that Ontario still ranks last in Canada when it comes to the number of people who have a full certificate in a trade, at about 6.2%, compared to Saskatchewan and Alberta, with over 10% of their population.

The apprenticeship initiatives outlined in the fall economic statement will benefit Ontario and will make a positive step in closing the skills gap. OSTA will continue to present the employer voice as we work together to close the skills gap, making Ontario a world leader in training and apprenticeships.

**The Vice-Chair (Mr. Han Dong):** Thank you very much, Kathy and Joe. This round of questioning will start with the PCs. MPP Fedeli.

**Mr. Victor Fedeli:** Thank you very much for your presentation. It's good to see both of you. I'll ask you the same question I ask everybody: Do you have any specific amendments?

**Mr. Joe Vaccaro:** No, we have no specific amendments.

**Ms. Kathy Inch:** No, thank you.

**Mr. Victor Fedeli:** Well, that's going to make it easy, then.



**The Vice-Chair (Mr. Han Dong):** MPP Baker.

**Mr. Yvan Baker:** Thank you both very much for coming in, and thank you for all the work that you've done to support the government in pulling this together. I think one of the things I was hoping you could share a little bit about is the new GAGE program. You have spoken to it, but what I would like to understand better is—first of all, we'll be eliminating the tax credit and moving towards this grant program. Secondly, the grants flow as soon as the tradesperson or the apprentice completes various levels of training.

From my vantage point, as someone who represents a lot of families and young people who are thinking about pursuing the trades, becoming apprentices and pursuing this, how will this benefit them?

**Mr. Joe Vaccaro:** I think what's important is that the approach taken here really focuses on how we are clearing barriers to an apprentice pathway. One of the barriers is the ability of an employer to not just provide the apprenticeship opportunity in year 1, but to sustain it over multiple years. So moving to a process where you are supporting that employer directly with a grant upon the apprentice's completion really makes a nice partnership, where as an employer you're encouraging, providing the training and the opportunities to get them from year 1 to year 2, so in that way the apprentice gets the hours they need to move up their ticket, but at the same time the employer's also being supported in terms of whatever additional work or arrangements they need to make that happen.

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Kathy, anything you want to add to that?

**Ms. Kathy Inch:** Just that sometimes it comes down to money. The hairstyling trade I can speak to, but there are other trades. They are not necessarily the higher-wage professions, and for a lot of hair salons—I mean, most hairstylists are now employed by very large chains, and you probably realize that—many of those chains and many salons are owned by one or two individuals and are very small employers. The money is huge and it helps somebody deal with all the other employment costs. So this allows somebody to dig their heels in and really make sure that their employee is successful because, frankly, it stops a revolving door. That's what we're really hoping it will contribute to.

**Mr. Yvan Baker:** How much time do I have, Chair?

**The Vice-Chair (Mr. Han Dong):** You have about 50 seconds.

**Mr. Yvan Baker:** There's a barbershop where I get my hair cut, in a plaza called La Rose Plaza. There's a gentleman named Frank—you may know him, Joe—who cuts my hair. He's been there for decades and does a wonderful job; at least I think he does. But I can appreciate sitting in his chair and I know that the folks aren't earning tremendous amounts of money doing that work. They're working very hard, and I can just imagine that relieving some of the costs on the business of the training and certification process would be incredibly helpful.

Anyway, thank you very much for being here. Did you want to say something else, Joe?

**Mr. Joe Vaccaro:** I just wanted to say that from a small business perspective—and we both represent members who are in that small business category—they want to be involved in training and apprenticeship. They want to be involved in modernizing the system and recognition of their involvement and recognition of their energy to be in that system, but also recognition of the burden that it places on them, from a paperwork, financial and time commitment. Supporting them with a direct grant moves the conversation along and hopefully will engage them in more participation and more opportunities for everyone.

**Ms. Kathy Inch:** Yes, absolutely.

**Mr. Yvan Baker:** Thank you.

**The Vice-Chair (Mr. Han Dong):** Thank you very much for your presentation, and thank you for coming. The deadline for submitting a written submission to the Clerk of the Committee is 6 p.m. this evening. You're welcome to do that. Thank you very much again.

#### ASSEMBLÉE DE LA FRANCOPHONIE DE L'ONTARIO

**The Vice-Chair (Mr. Han Dong):** The next presenter is Assemblée de la francophonie de l'Ontario. Good afternoon.

**M. Carol Jolin:** Bonjour. Good afternoon.

**The Vice-Chair (Mr. Han Dong):** Please introduce yourself and you have five minutes for a presentation.

**M. Carol Jolin:** Thank you. Alors, bonjour à toutes et à tous.

Je m'appelle Carol Jolin. Je suis le président de l'Assemblée de la francophonie de l'Ontario, et je représente la communauté francophone, quelque 622 540 Franco-Ontariennes et Franco-Ontariens. Je vous remercie de nous donner la chance de participer à l'étude menée par votre comité. Nous avons également commenté ce projet de loi dans un mémoire que nous vous avons déjà transmis.

Trois des annexes touchent particulièrement notre communauté : l'annexe 5, Loi de 1999 sur la ville d'Ottawa; l'annexe 12, la Loi sur l'éducation; et enfin l'annexe 43, Loi de 2017 sur l'Université de l'Ontario français. L'AFO appuie ces trois annexes.

En adoptant ce projet de loi, vous aurez la chance de faire avancer trois dossiers francophones : soit la reconnaissance du bilinguisme de la ville d'Ottawa, la passation de la gouvernance du Centre Jules-Léger à la communauté franco-ontarienne, et de plus, en mettant sur pied la première université autonome de langue française en Ontario, notre communauté fera un pas important vers l'obtention de son autonomie dans le domaine de l'éducation universitaire en français dans la province.

L'AFO recommande d'adopter l'annexe 5 de ce projet de loi sans modification. L'officialisation du bilinguisme de la ville d'Ottawa par la province est revendiquée par les Franco-Ontariennes et Franco-Ontariens depuis la création de la ville en 2001. Cette reconnaissance législative du caractère bilingue de la capitale nationale

et l'arrimage du règlement sur le bilinguisme de 2001 à la Loi sur les services en français solidifient les assises juridiques du bilinguisme de la ville d'Ottawa.

Ensemble, ces changements à la Loi de 1999 sur la ville d'Ottawa contribueront à la pérennité des services en français offerts par la ville et, plus largement, à l'épanouissement du français dans la ville. Ces modifications à la loi constitutive de la municipalité donneraient enfin à la population francophone d'Ottawa et du Canada un legs tant attendu et une autre occasion de célébrer le 150<sup>e</sup> anniversaire de la confédération.

Le maire de la ville d'Ottawa, Jim Watson, appuyé par l'AFO et son partenaire, la table de concertation pour Ottawa Ville Bilingue, sont en faveur des modifications proposées à l'annexe 5.

L'annexe 12, qui modifie la Loi sur l'éducation, représente un autre gain important pour la francophonie.

L'AFO félicite le gouvernement de l'Ontario pour avoir eu l'audace de sortir des sentiers battus en proposant un modèle de gouvernance unique dans la province, et qui prendra le nom de Consortium Centre Jules-Léger. En accordant la gouvernance par et pour les francophones au Centre Jules-Léger, la survie de l'école francophone adaptée pour les enfants ayant des besoins spéciaux semble assurée.

Cependant, nous recommandons que la propriété de l'édifice du Centre Jules-Léger soit transférée d'Infrastructure Ontario au consortium pour son administration.

Parlant de gouvernance, parlons du projet de loi pour l'Université de l'Ontario français.

For this part, I will switch to English, because I really want to make sure you understand everything that we're asking for here.

The AFO and its two partners on this major file, the Regroupement étudiant franco-ontarien and the Fédération de la jeunesse franco-ontarienne, note with satisfaction that in this bill, the government recognizes the legitimacy of French-language governance at the university level. The rationale behind the legislation pertaining to the governance of this university and the structures governing the work of the senate, the board and the board of administration is of great interest for us.

Moreover, the partners gladly note the amendment made to section 12 of schedule 43. Originally, the bill stated that, "The university may award certificates and diplomas in arts, science and commerce." The AFO felt that this section limited the potential of the institution. A new version of the bill now states that, "The university may confer degrees and honorary degrees and award certificates and diplomas in any and all branches of learning." The partners thank the parliamentarians for this important amendment.

In order to maximize the potential of the university, the AFO recommends that the bill clearly define the terms "partner mentor university," "main mentor university" and "academic affiliation."

To ensure the participation of Franco-Ontarian youth in the development of the university, the AFO and its

partners recommend that one fifth of the members of the senate be students.

Lastly, the AFO and its partners reiterate a request that has been made many times in the last several months: that the university's implementation committee include seats for community and youth representatives. This request is key to maximizing the clear potential of the university and ensuring its viability.

**The Vice-Chair (Mr. Han Dong):** Thank you very much for your presentation. That's five minutes.

This round will start with the Liberals first. It's MPP Delaney.

**M. Bob Delaney:** Bonjour.

**M. Carol Jolin:** Bonjour.

**M. Bob Delaney:** Notre gouvernement partage et se fait écho à l'aspiration d'une université de la langue française indépendante, une université qui fournit un environnement d'apprentissage francophone avec des programmes universitaires francophones dans le centre-sud-ouest de l'Ontario. C'est pourquoi cette nouvelle université sera gouvernée par et pour les francophones.

Pouvez-vous partager avec le comité l'importance de la création d'une université dont la gouvernance est par et pour les francophones?

**Mr. Carol Jolin:** First, I would say that everything that we govern at the educational level has been a success so far. When we finally got the governance of the elementary schools and the secondary schools—and I see what we do at the college level now—I think we're doing a pretty good job and we can take a step forward for the university.

Second, the importance of having that especially in the Toronto area is that the demography of the francophone community is changing very rapidly, and they say by 2021, the largest concentration of francophones won't be in the east anymore but in the greater Toronto area. So having the control of the program, we will have a group a lot closer to the needs of the community.

**Mr. Bob Delaney:** Okay. You made a very interesting point about that critical mass of Franco-Ontarians living in the central or the southwest regions, and you talked pretty well about the impact that the UOF may have on the vitality of these growing French-speaking communities. Could you perhaps go into a little bit of detail on where a lot of the community is coming from? Is this growth within the community migration from within Canada or inbound migration from other areas?

1400

**Mr. Carol Jolin:** Mainly it's immigration. I was told that, for example, in the Milton area it's just booming right now, and mainly it's about immigration. What we see there, as I said, is that the demography is changing. From what I know from the two school boards, the separate and public school boards, they're opening schools almost every year, and a high school every two or three years, because of the demand. So the demand is there, and we have to be able to offer that service.

One more thing, too: Many of those people coming from immigration speak many languages. French is one



of them and English is not one of them. If I look, for example, at the immigration coming from Africa, we've got a lot of immigration.

**The Vice-Chair (Mr. Han Dong):** Thank you very much. Now we move to the PCs. MPP Fedeli.

**M. Victor Fedeli:** Merci pour votre présentation. Avez-vous des amendements spécifiques?

**Mr. Carol Jolin:** There are none for Ottawa, a bilingual city. For the Centre Jules-Léger, we want to make sure that the building itself, which now is administered by Infrastructure Ontario, be transferred to the consortium that will take care of the Centre Jules-Léger.

For the university, there are a few of them: First, we want to make sure that there are definitions of some terms that we saw in Dyane Adam's report. There were many expressions in there that we have a hard time just to pinpoint the meaning of. I'm talking about "partner mentor university," "main mentor university" and "academic affiliation." I think those should be reflected in the bill.

We want to make sure also that one fifth of the members of the senate be students. A senate can go up to 40 people. If we have two students there, that's 5% of the senate. We want to make sure there's good representation there.

The last one is something we ask for. I'm not sure it's an amendment, but we want to be part of the committee that will be working to put the university together.

**M. Victor Fedeli:** Nous appuyons cette initiative. Nous souhaitons beaucoup de succès.

**M. Carol Jolin:** Merci.

**The Vice-Chair (Mr. Han Dong):** Now we go to MPP Vanthof.

**Mr. John Vanthof:** My apologies for not being here for your presentation. We're having a rough day in the House today. I'm whip/House leader today.

First of all, I'd like to express our support for what your organization is proposing, certainly on the French university side. Centre Jules-Léger: We had a presentation this morning. A consortium of school boards: Who better to actually manage the structure than a consortium of school boards? It just makes things so much simpler and allows more versatility.

One thing we discussed this morning is that we have to ensure that for an organization like Centre Jules-Léger, they actually have enough funding going forward, because as other school boards have noticed, you can get starved for funding and not have the ability to provide the service you want.

The question I have is, regarding the French university, which we fully support, have you given thought as to how it could work to avoid putting a drain on other francophone centres of higher learning throughout the province?

**Mr. Carol Jolin:** The mandate we're working with is the mandate that was given by les États généraux, and it reflects what we've done at the elementary, the secondary and the college level. It's to have the governance of

the francophone programs in the province. I don't know how it can be done. There are probably a lot smarter people than I am who can think of models to make this work. But I think that's the mandate we're working with right now, and I think we have to work in collaboration to see how it can be done and see what can develop. If it's not a Canadian model, there might be a model somewhere in the world that's working, and that's what we have to look into.

**M. John Vanthof:** Merci beaucoup.

**Mr. Carol Jolin:** If I may add about Centre Jules-Léger, I'm glad you mentioned the funding, because the funding for Centre Jules-Léger has been frozen for six years. That means, basically, that they lost a good 10% of the money that they have to manage the place. I think it's important that the funding be increased to at least catch up what's been lost in the last four to six years.

**M. John Vanthof:** Merci beaucoup.

**M. Carol Jolin:** Merci.

**The Vice-Chair (Mr. Han Dong):** Thank you very much for coming today and thank you for your presentation.

#### LANDSCAPE ONTARIO HORTICULTURAL TRADES ASSOCIATION

**The Vice-Chair (Mr. Han Dong):** The next presenter to the committee is Landscape Ontario Horticultural Trades Association. Please introduce yourself for the presentation.

**Mr. Tony DiGiovanni:** All right. My name is Tony DiGiovanni. I'm the executive director of Landscape Ontario Horticultural Trades Association.

Thank you for this opportunity to present today. Landscape Ontario represents 2,600 member companies that design, install and maintain Ontario's landscapes, gardens and living green infrastructure. We also represent all those that grow plants on farms in Ontario's nurseries and greenhouses, as well as all those that retail plants and garden products. We're the green industry.

Although the industry is very diverse, the thread of passion that ties the entire value chain together is the idea that landscapes, gardens and living green infrastructure are crucial to improving and enhancing the quality of life, especially in a population that is becoming increasingly urban.

A number of years ago, we asked Deloitte to determine the economic impact of the landscape/horticulture sector. They found that the private side of the sector employs 70,000 people in Ontario. However, when you factor in the 444 municipal governments looking after the parks systems and urban forests, as well as the conservation authorities, there is at least double this amount. This makes approximately 140,000 people working in our sector.

Since the study, the industry has experienced continued growth of about 36% since 2009, and all forecasts point to increased growth, except for one very serious problem. We have problems attracting and retaining

enough skilled employees. We estimate that the members could do 30% more work if they had employees. This shortage is the same across North America and is the same in most hands-on trades.

Landscape Ontario has been very active in a partnership with the Ontario government in dealing with this issue from a short- and long-term perspective. Ontario's focus on experiential learning models, such as a specialist high school major program, has been very beneficial in exposing students to the trades. The apprenticeship program is another fantastic vehicle. In fact, the apprenticeship program and the proposed GAGE grants are the main reasons we wanted to address this committee.

Landscape Ontario recently became a group sponsor for the apprenticeship program in eastern and western Ontario. We dedicated staff to promote and assist the members to enroll their employees into the apprenticeship program. This extra effort was successful and we were able to double the apprentices in those areas. However, we have a long way to go to encourage employers and employees to take advantage of the gift of apprenticeship.

It has been proven that when employers make the effort to encourage apprentices, people are much happier and stay for much longer. We greatly valued the opportunity to become a group sponsor for our sector. It has allowed us to focus on communication and awareness efforts on the value of apprenticeship, it has stimulated relevancy as well as a feeling of ownership, and it has changed lives for the better. The mastery of skills is a huge motivator.

However, it has been tough convincing our small business owners to enroll their employees in the apprenticeship program, even though it shouldn't be. Apprenticeship is a gift. Landscape Ontario has been promoting apprenticeship training for over 40 years, and even though we support and promote all levels of landscape/horticultural education, the truth is that the related colleges and university programs graduate approximately 300 people a year into an industry that employs over 100,000 people. Most learn their skills on the job. Apprenticeship is perfect. Apprenticeship has always been our priority.

A number of years ago, we worked with our national association, the Canadian Nursery Landscape Association, in an effort to make landscape horticulturalist a Red Seal trade. We were successful in doing this. This designation has enhanced the standards of excellence in our skilled trade. It also has encouraged more employees to advance their careers by enrolling in the apprenticeship program.

The GAGE will offer support and encouragement to employers who train and assist their apprentices to complete the process. Currently, many start but few actually complete. GAGE will be easier for employers, because 100% of the employers who register apprentices will be automatically enrolled and will not have to apply separately as they did with the tax credit. Employers will automatically receive payments when their apprentices

complete a level of training. This is huge for small businesses that do not have a lot of administrative capacity.

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The GAGE grants will encourage small business to participate in the apprenticeship program. It has made incentives accessible, regardless of the size of the company. The graduated design of the program, making higher payments toward the end of an apprentice's training, will reward employers who invest in the completion of the apprentices. It will also give employers more capacity to increase wages in order to keep their skilled employee from being lured away by larger companies.

GAGE also provides more support for employers who take on apprentices from under-represented groups. This will help diversify our industry.

We sincerely thank the government for their wonderful support of the apprenticeship program. It is a game-changer, and it's a gift. From our perspective, the government's support will help us deal with our main barrier to growth, which is the attraction and retention of skilled employees.

**The Vice-Chair (Mr. Han Dong):** Thank you, Mr. DiGiovanni.

This round of questioning will start with the PC caucus. Mr. Fedeli?

**Mr. Victor Fedeli:** Thank you very much for your presentation. I just want to start by talking about Dr. Rick Miner's paper, *People Without Jobs, Jobs Without People*. It's just fascinating that you are exactly who he is talking about. We have people, especially in the north, who are without jobs, and yet there are so many job opportunities. This morning's presentation was a similar one, but it was from the chief building inspectors' organization, where there is going to be, in five years, a massive demand for building inspectors. We need to begin to prepare ourselves for creating skilled employees to take over these jobs.

Is there anything in your presentation—I know that you may not have had an opportunity to quite finish the discussion. I was following along. Do you just want to take a second and finish it up? Then I'm going to praise our volunteers in North Bay.

**Mr. Tony DiGiovanni:** Super. It's just that there's a bright future for our industry, especially when people are becoming urbanites more and more, and starting to realize that we need the landscape and we need plants.

Our industry has one of the solutions for climate change mitigation and adaptation, for cleaning the air and for attracting carbon dioxide into plants. Actually, carbon dioxide is a fertilizer for plants, so we can fix the carbon dioxide.

Growth is great, except we can't get employees, so you're right. I know, from talking to our counterparts everywhere across Canada and the US, that this is a similar problem. We need to deal with it.

**Mr. Victor Fedeli:** We've got a great group of seniors in North Bay who are mentoring many young people.



Remember, in the olden days, the Canadian Ornamental Plant Foundation that was down there, and Peggy Walsh Craig, who moved to North Bay? Between Peggy and people like Harriet Madigan, they've begun what is called Community Waterfront Friends. On our entire waterfront in North Bay, if you google it and look at the beautiful photographs, there are over 300 seniors who volunteer there every single day in the summer. They take a claim for their plant beds. They are doing everything they can to encourage the next generation to get into this, because it's going to be such an exciting field.

If you have any information to share with us on job opportunities, we'd be happy to post them on our Facebook and on our website, as much as we possibly can, to support that.

**Mr. Tony DiGiovanni:** What a great story. Say hi to Peggy for me.

**Mr. Victor Fedeli:** It is a beautiful story. I will say hi to Peggy for you.

**The Vice-Chair (Mr. Han Dong):** Thank you. MPP Vanthof?

**Mr. John Vanthof:** Thank you very much for making your presentation. It struck me that you have 70,000 people working in this sector in Ontario.

**Mr. Tony DiGiovanni:** Yes.

**Mr. John Vanthof:** I'm a farmer by trade, and that's exactly the same amount of farmers we have working in Ontario. We face—

**Mr. Tony DiGiovanni:** The same problem?

**Mr. John Vanthof:** Exactly the same issue. It's not that the jobs aren't there.

I noticed that you mentioned the high school major program. In my hometown, Timiskaming secondary school has a high school major program for agriculture, and it has made a huge difference. I'm going to ask you in a second to comment, but often I find that we lose our young people, because they don't realize what's out there soon enough. My own daughter didn't go to Guelph, even though we work on a farm and we own a farm—and this was probably as much my fault as anyone's—because she didn't realize the opportunities that were in agriculture until she was already out of it. But she's happy and successful.

**Mr. Tony DiGiovanni:** Yes, it's true.

**Mr. John Vanthof:** Do you think that you're experiencing the same thing?

**Mr. Tony DiGiovanni:** Absolutely, we're experiencing the same thing. The reason for it, I think, is that we're the first generation in history where most of the population is in urban areas and doesn't have contact with a farmer or someone who grows plants.

**Mr. John Vanthof:** Yes.

**Mr. Tony DiGiovanni:** How do you raise awareness of the value of that if you're not in contact with it? That's kind of a central reason.

**Mr. John Vanthof:** I'd like to echo the comments from Mr. Fedeli: Anything that we can do, because landscaping—my wife loves landscaping—but there are not very many people who realize how much landscaping

does for our climate—for our own spiritual health and well-being, but also for the climate.

I'd like to thank you for coming, because it accentuates what you guys contribute to the province.

**Mr. Tony DiGiovanni:** Thank you.

**The Vice-Chair (Mr. Han Dong):** Thank you, MPP Vanthof.

Now we move to the Liberals: MPP Baker.

**Mr. Yvan Baker:** Thank you very much for coming in, and for your work and your advocacy to address some of the issues that you've discussed with the other members and in your presentation.

The issue that you were talking about just now with Mr. Vanthof and Mr. Fedeli—the issue of young people trying to identify what path they should pursue in life, whether that be through apprenticeships or through college or through university, or whatever the case may be—I think is one that has captivated my attention and one that I spend a lot of time on. In fact, I had a private member's bill on that issue. So I'm happy to chat with the members across and with yourself at some point on that.

I want to come back to the reason you're here, and I want to explore further what you said about the GAGE program. My understanding is, the GAGE program will move funds that were previously allocated to a tax credit into a grant program, and that the benefits available under that grant program are greater than what was available under the tax credit—

**Mr. Tony DiGiovanni:** Absolutely. We actually were not eligible for the tax credits at all. When I read the announcement, I cheered, frankly. This is fantastic.

**Mr. Yvan Baker:** It's fantastic.

**Mr. Tony DiGiovanni:** That's what prompted us to come here. We thank you.

**Mr. Yvan Baker:** Thank you for that. That's great. Maybe my question to you would be this: Can you talk a little bit about how—I mean, there are different groups of folks who will benefit in different ways, right?

**Mr. Tony DiGiovanni:** Yes.

**Mr. Yvan Baker:** There are the apprentices themselves, and then there are the businesses that are training those apprentices, your members.

**Mr. Tony DiGiovanni:** Yes.

**Mr. Yvan Baker:** Can you talk about how this program, by virtue of the fact that it's a grant; by virtue of the fact that there is more benefit available than there was in the previous program; by virtue of the fact that it also is available immediately as the apprentice completes each component of the training—can you talk about how these things benefit both your members, the businesses, but then also the individual apprentices?

**Mr. Tony DiGiovanni:** Right. It's almost obvious that everyone will benefit, including the public, who will actually have more skilled people working on their landscapes, right? So everyone benefits, and society and the generations coming benefit because of the work that we do.

The wonderful part about this is that we've been promoting the apprenticeship program for a long time,

and it has been a priority for a long time. But because our members are small businesses, it's really hard to get their attention when they're trying to make a living in a short period of time—because of the season as well; we're in Canada—to actually take time to enrol their apprentices, their employees, and tell them, through proof, that that's the way to retain them. This will just really help. Now there's no excuse. If they don't jump on this right now, it's our own fault.

**The Vice-Chair (Mr. Han Dong):** Thank you very much.

**Mr. Yvan Baker:** Thank you for coming in and sharing.

**Mr. Tony DiGiovanni:** Thank you.

#### CUPE ONTARIO

**The Vice-Chair (Mr. Han Dong):** The next presenter is the Canadian Union of Public Employees. Good afternoon. Thank you for coming. Please introduce yourself before your presentation. You have five minutes.

**Mr. Fred Hahn:** Thanks. My name is Fred Hahn. I'm the president of CUPE Ontario. We're the largest union in the province, with over 260,000 members in every community across the province.

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I'm here because the Liberal government has actually decided to disrespect the people of Ontario with a massive omnibus bill that includes everything but the kitchen sink. I've got five minutes to highlight the concerns of our members, but if I were to speak on every one of the 46 schedules within the bill, I would have six and a half seconds per schedule. You're likely tired of hearing me say this, but cramming all of this into one piece of legislation is just wrong.

Within the limited time frame that I've got, I won't be able to speak to schedules that deserve attention, like schedule 30 or schedule 45. They deal with issues like occupational health and safety and the coverage of mental health issues under public insurance, big issues that deserve their own time and attention. I'm hopeful that others will speak to you about these, and we did spend some time on these in our written brief.

Just so my reputation doesn't precede me, I want to highlight a positive change that's here: schedule 20, regarding indigenous institutions and the positive role they play in higher education. It's a shame that this positive step is buried deep in an omnibus bill.

But either way, I'll focus on schedule 33. In our view, it has far-reaching implications and it should have its own piece of legislation. We support the submission made by the Ontario Federation of Labour regarding schedule 33 of this bill. This schedule of Bill 177 significantly reduces employers' obligations to fund solvency deficits in their defined benefit pension plans. This comes at the expense of members' benefit security. Let's remember that it's not workers and retirees who are asking for these rules to be changed.

CUPE and the OFL previously lobbied government to consider a varied approach in rewriting solvency funding rules. It doesn't make sense to apply the same uniform solvency funding rules across all sectors. Certain sectors—like large public-sector employers, for example—face little risk of insolvency. Bill 177 doesn't allow for any variance in these rules.

The central demand of Ontario's unions in the solvency review process was that if there were any reductions in the employer's funding obligation, they should be subject to the consent of plan members. That just seems fair and right. Workers whose retirement depends on their pension plan should be consulted if their employers don't want to not fully fund them. But Bill 177 doesn't contain any mechanism like that, and that's just wrong. Plan members must be given a say if there is any reduction in their pension security.

To offset the loss of that security, Bill 177 includes a modest increase to the maximum Pension Benefits Guarantee Fund benefits from \$1,000 to \$1,500. This increase falls far short of what we were asking for, \$3,000 in insurance. We're also skeptical of the new "enhanced" going-concern rules, like the addition of a provision for adverse deviation—what's called a PfAD. We are concerned this won't enhance benefit security for all plans. A more substantial increase to the Pension Benefits Guarantee Fund would have been a better overall approach.

An amendment to section 55.1 of the act suggests that the province's jointly sponsored pension plans may also be required to have a PfAD. We have always argued that the large JSPPs should be unaffected by any new rules governing these things since they don't have to fund for solvency in the first place.

With respect to multi-employer plans that are not JSPPs, we believe that these plans and their boards are best positioned to independently determine what levels of actuarial caution they feel is appropriate for their plan. Should the province mandate strict regulations, such as specific PfADs for multi-employer pension plans, there must be a transition period built in so those plans can adapt.

We also share the concern that schedule 33 will require communication with plan members about a conversion to target benefit, which would unnecessarily confuse members. These plans already contain a target benefit, and the underlying security of that benefit is not truly changed in any way. There is no conversion.

Finally, there is far too much in schedule 33 that is left simply to regulation. The actual new solvency funding level, the details about a PfAD requirement, the requirements for funding and governance policies: These are all left to regulation instead of being in the law and in Bill 177.

At a time when the general public is even more aware of the need to properly fund and secure workers' retirement through their workplace pension plans—think Sears—that you would move to this model is actually shocking. This is less transparent and less democratic,



and it will enable future cabinets to too easily change important pension rules that workers rely on.

For all of these reasons, we're requesting the complete removal of schedule 33 of Bill 177. Thank you.

**The Vice-Chair (Mr. Han Dong):** Thank you very much for your presentation. This round will start with the NDP caucus. MPP Vanthof.

**Mr. John Vanthof:** Thank you, Fred, and thanks to the folk at CUPE for all of your work on behalf of not just your workers, but all of the workers of Ontario.

I'm going to give you most of my time to let you talk more about your issues, but the issue regarding the omnibus bill—I think the presentations this afternoon are a really good example. We've had l'Assemblée de la francophonie de l'Ontario talk about Centre Jules-Léger, a very important issue. We had Landscape Ontario. You're talking about pensions. But those three issues—all relevant—don't really have anything directly to do with each other. They're all incredibly important, but the one issue that impacts the most people is the pension issue. We have been pushing to separate this bill. That's why we asked for the reasoned amendment to separate this.

I would just like to give you the rest of your time to talk about other issues you see with this bill.

**Mr. Fred Hahn:** Well, certainly. I'll just circle back to this because I think it's quite important. It's understandable that there may be things that could come together in an omnibus kind of bill, but these are topics that are completely unrelated to one another. There's a schedule that speaks about child care provision. It isn't clear to us that that schedule actually removes requirements that are currently there in regulation around how child care should be provided and whether there are ratios that should change.

These are quite important things. I just think, given the times that we've been in, in particular in the last number of months, when people's attention has been called to the realities that workers' pensions can be without good, clear laws that protect workers and their pension benefits—if they aren't guaranteed clearly and overtly in law, then there can be problems. People can work their entire lives depending upon a pension that, at the end of the day, disappears. That simply isn't right.

I don't think that's anyone's intention here, but when you remove solvency requirements that are currently in the law, put them into regulation and allow for those things to be changed at the drop of a hat through any particular cabinet measure, when those things that ultimately have huge impacts upon the way in which a plan decides its own benefits, the way in which it invests, what its funding for—we have members in many different plans.

The vast majority of our members are in the OMERS pension plan. It is a large, jointly sponsored pension plan. It has lots of capacity and a really good mechanism to figure out how it needs to fund itself. It has a whole comprehensive system to figure out its own funding mechanisms, yet it is subject to the same rules as other plans that are much smaller, that are in the private sector.

Then there are plans that, quite frankly, as a target benefit plan, they have existed. Some of our members are in those plans, too.

To have to communicate with workers that there is somehow going to be a change in their plan when, in fact, the essence of their plan has never changed at all, and that we would suggest—

**The Vice-Chair (Mr. Han Dong):** Thank you, Mr. Hahn.

**Mr. Fred Hahn:** Thanks.

**The Vice-Chair (Mr. Han Dong):** Thank you, MPP Vanthof. MPP Baker.

**Mr. Yvan Baker:** Thank you, Mr. Hahn, for coming in today. Before I ask my question, I just wanted to address a couple of things that you raised in your presentation.

First of all, on the issue of this legislation being an omnibus piece of legislation: Certainly, from my vantage point, in a perfect world, would it be nice to be able to break out every single schedule in every single bill and debate each one individually? Certainly that would be nice. I think the trade-off, though, that we have to accept in that scenario, knowing that we have rules as far as how long each bill has to be debated in the Legislature and how long a committee needs to sit and the processes around that, is that would mean that by the end of this mandate some of those things would not pass, realistically. Even if they had support of all the parties, it would need to go through that process, which means that things like the indigenous institution element, things like expanding WSIB entitlements to those diagnosed with chronic mental stress and many other provisions in here that are positive would not get passed.

The challenge that I face as a member and I think the government faces is how to make sure that we deliver for those folks on these very urgent needs, many of which I know that you and your members support. The only way to do that is to make sure that we work quickly and bring these things together in a piece of legislation.

So although I appreciate the feedback, I think what I would say is that if we broke out the bill, as the opposition has been asking, then some of these things wouldn't happen, and I think that would be to the detriment of the people of Ontario.

You addressed the issues of the pension. I appreciate that feedback. I will take that back. We are the only province that has the Pension Benefits Guarantee Fund. We're the only ones in Canada that have that. That's the first thing I would say. The second thing is that we're increasing the maximum benefit to \$1,500, which is a 50% increase, which is significant, I think. That's an important thing to note.

I know there are a number of other things that we've also included here: The requirement for companies to fund a provision for adverse deviations with a plan; that's a separate insurance, if you will, to help. So if they're deviating from their solvency requirements, they're contributing to a fund that helped fund those pensions.

There are a number of initiatives here that I think, on the positive side, will help protect pensioners.

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I think my question to you is: On the chronic mental stress issue, can you tell us a little bit about what your thoughts are about expanding WSIB entitlements to include those diagnosed with chronic mental stress?

**Mr. Fred Hahn:** Sure. Of course, that makes good sense. I think that the challenge with that particular issue being buried in an omnibus piece of legislation is that I'm not sure how people are actually going to know that it's happening or have an opportunity to comment specifically on those important provisions, because people who are dealing with mental health issues deserve to have that issue looked at in a fulsome way.

When we're talking here about retirement security, what's changing—the Pension Benefits Guarantee Fund hasn't been augmented since it was created, so—

**The Vice-Chair (Mr. Han Dong):** Thank you, Mr. Hahn. Sorry about that.

Now we go to MPP Fedeli.

**Mr. Victor Fedeli:** I'm going to give you a chance to finish some of your thoughts, but I just have to comment on how rich I thought the Liberals were, talking about, "Well, we have rules to follow which is why we have to jam 45 schedules into this bill"—unrelated schedules. I was here and John was here recently, when they changed the rules in the middle of the game. One day we had a vote at 11:45—a final vote on a bill—and at 1 o'clock was the closing of the submissions to present that very day, only for one day. So when it accommodates them, they seem to be able to figure out all these new rules. Because of that, as Mr. Vanthof said, he asked for a reasoned amendment. Every day, we asked for unanimous consent to break this into proper bills.

When you've got this all excellent but very diverse group of people for the same bill—the Insurance Bureau of Canada, Association franco-ontarienne des conseils scolaires catholiques, Ontario nurses, Ontario home builders, LGBTQ Parenting Network and aboriginal institutes all on the same day, and many, many more—that just tells you that this is a true meaning of the word "omnibus" bill.

It's interesting. Schedule 33: Like you, we're not very happy. Schedule 30, we might live with. You didn't get a chance to really chat about schedule 30 in your deputation. Do you want to wrap that one up?

**Mr. Fred Hahn:** Sure. Could you remind me what that is? There are 46 of them. I can't really keep them all straight in my mind, I have to confess.

**Mr. Victor Fedeli:** It's the Occupational Health and Safety Act. Your comment started with, "We could be prepared to support the notion," and off you went.

**Mr. Fred Hahn:** I think that there are a couple of different pieces there. The Occupational Health and Safety Act is, of course, incredibly important. We're talking here about the rules that govern the way in which people work and work safely, and then we prevent injuries. Alongside that is this question of people who are

dealing with the challenges of mental health. Again, all of these things are quite important, and it's incredibly challenging to try to talk about them separately. Combined with all of this, and I don't mean to redirect from your question too much, but we're talking here about people's pension security.

Pension plans are actually quite complex creatures. The way in which they're funded, the funding mechanisms, the way in which investments work to actually meet the pension promise: All of this stuff is complicated. To simply say that we're going to create a new thing, a PfAD, and make pension plans have to fund it, has implications and ramifications in relation to those plans. Without any acknowledgement that that's in fact the case, by allowing employers to say that they're no longer going to fund for solvency without even communicating that to the plan members—I just think that there's a bunch of quite important pieces here—

**The Vice-Chair (Mr. Han Dong):** Thank you for that.

**Mr. Fred Hahn:** Thanks very much.

**The Vice-Chair (Mr. Han Dong):** I'm sorry; we're restricted by time. Thank you very much for your presentation, and thanks for coming.

## SHERBOURNE HEALTH CENTRE

**The Vice-Chair (Mr. Han Dong):** Committee members, our next presenter is the LGBTQ Parenting Network at the Sherbourne Health Centre. Good afternoon. Thanks for coming to the committee. You have five minutes to present. Please introduce yourself first.

**Mr. Andy Inkster:** Thank you so much for having me this afternoon. It's a great joy to be here, and a privilege. I'm speaking to schedule 15, which is an amendment to the Family Law Act. It's an amendment to require every parent to "provide support, to the extent that the parent is capable of doing so, for his or her unmarried child who is unable by reason of illness or disability to withdraw from the charge of his or her parents."

Sherbourne Health Centre has three programs, and I'll be drawing on work from each of those to talk to this schedule today: Rainbow Health Ontario; Supporting Our Youth, or SOY; and the LGBTQ Parenting Network. I have a little bit on each in our bio. This is the importance of the promised amendment to Bill 177 and why we must change section 31 of the Family Law Act. I will say that the current Bill 177 that you have in front of you doesn't go far enough.

I won't wade deeply into the legal issues; I think my esteemed colleague Joanna Radbord walked you through them this morning in much more detail than I ever could. Instead, I'll offer a lay perspective informed by my professional experience working directly with the people whom this legislation affects.

You might be wondering: What the heck does a health centre know about family law, why do you care and why did you intervene in a legal case? It's quite unusual for an organization like a health centre to get involved in a child



support case at the family law level. The reason we got involved was that there were two mothers in two separate, unrelated cases who raised constitutional issues that affected LGBTQ people and LGBT youth in particular, and also women in general.

As you know, same-sex marriage wasn't available in Canada until 2004, so by definition every single adult child of LGBTQ parents was born to unmarried parents. The other issue we have is that multi-parent families, such as those created by three or four people who choose to parent together, are now recognized at law as of last year—actually, it came into effect this year; there's a typo there. Through the All Families Are Equal Act, we now allow three- and four-parent families in Ontario, but those families cannot marry. To marry more than two people is a Criminal Code violation.

This matters. We don't actually use the term "illegitimate child" in Ontario anymore, but we do have two very different types of child support. We have child support available to children whose parents were married. Through the Divorce Act, that child support can continue indefinitely if the child is disabled or cannot work for another reason. For parents who weren't married, though, their children are only entitled to child support until the age of 18. After that, they have no legal entitlement.

For us, this is of grave concern. We've got three appendices. I'll draw your attention to the first report from the Trans PULSE Project, which is *The Impacts of Strong Parental Support for Trans Youth*. In full disclosure, this isn't directly about child support; there are a couple of different meanings of the word "supportive" in play. I'll just draw your attention to the figure on housing, which is the second-last bar. We see in this report that 100% of trans youth who have supportive parents are adequately housed. For trans youth whose parents are not supportive, 45% of them are housed. That's just one stat, and that's all you need to hear, because you know that the outcomes are life-changing for youth. The difference between being housed as a young person and not being housed is going to lead to challenges and differences in outcomes across the rest of your life.

We've also got another research bulletin from the Trans PULSE survey here: *We've Got Work to Do: Workplace Discrimination and Employment Challenges for Trans People in Ontario*. This lays out the employment challenges faced by trans Ontarians. Only 37% of trans people in Ontario are full-time employed.

The third bulletin we have is also from Trans PULSE: *Who Are Trans People in Ontario?* This is where we have to synthesize these things. Amongst trans people in Ontario, a full 42% of them have at least graduated college or university. Including graduate degrees and professional programs, it's 42%. However, 71% of trans Ontarians make less than \$30,000 a year and 50% of trans Ontarians make less than \$15,000 per year.

If we bring all these things together, this is why it matters. If a parent who has never married wants to

revoke child support for an adult youth who is transitioning and who is unable to work or support themselves, or if they're taking a year away from school or if they're taking a break from employment to transition, as long as that child is over the age of 18 and the parents were never married, they can stop paying child support. Often this means that one child is fully supported by one parent without any support from the other parent, and they have no legal right to it. Most frequently, this means that adult children—

**Mr. Han Dong:** Thank you very much. That's five minutes.

We'll start with the Liberals first this round: MPP Martins.

**Mrs. Cristina Martins:** Thank you so much for being here today to present your thoughts and your deputation here. I know that we had Ms. Radbord here this morning. There is an amendment that we will be making, and she seemed to be very, very pleased and go away very pleased knowing that that particular amendment was going to be made. I was trying to get the exact wording of that—

**Mr. Andy Inkster:** I could tell you, if that's helpful.

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**Mrs. Cristina Martins:** You can tell me—exactly. It's probably in the middle of all of my paperwork here.

Just give me your thoughts on what you can say about the government listening and actually moving forward with the suggested amendment, and how that will help and benefit your community.

**Mr. Andy Inkster:** Yes. This amendment is crucial, because the really important word in this entire thing is—well, it's two words: "other cause." The Divorce Act allows for support for children who are unable to work by reason of disability or illness, and the amendment, as I understand it, is to add "or other cause" to bring it in line—similar to the Divorce Act. It's not exactly the same, but very similar.

The amendment has been promised; it hasn't been made yet. The reason I am deputing this afternoon is to recognize and respect the legislative process and say, "I will speak to this issue," because it is important; and it gives me a few minutes with some decision-makers to get some of my research in front of them, so that's important.

We are very thrilled with the amendment. We need to have that "or other cause" in there, because "or other cause" allows trans youth who are unemployed because of discrimination to seek support from a non-custodial parent into adulthood. This is crucial.

**Mrs. Cristina Martins:** Is there anything else that, perhaps, you didn't get to say that you would like to add?

**Mr. Andy Inkster:** I'm happy to answer questions. There aren't any remaining bits.

**Mrs. Cristina Martins:** That was really the only question I had. I think that was one of the largest concerns from the LGBTQ community that we heard, and so one of the ones that we're happy to say we will be amending.

Thank you for your deputation here today.

**The Vice-Chair (Mr. Han Dong):** Thank you, MPP Martins. MPP Fedeli.

**Mr. Victor Fedeli:** Thank you, Mr. Inkster, for being here today with a very fact-filled presentation and a good take-away for us to consider.

I'll tell you the same thing I said to Ms. Radbord, who was here earlier today: "Veni, vidi, vici." I'll paraphrase: You came, you presented, you won. We understand your amendment is going to be put in, to take the word "or" out before "disability" and add "or other cause" after "disability." That is what you're asking for, and we understand that is what's being inserted.

**Mr. Andy Inkster:** Excellent.

**Mr. Victor Fedeli:** Thank you, Chair.

**The Vice-Chair (Mr. Han Dong):** Thank you, MPP Fedeli. MPP Vanthof.

**Mr. John Vanthof:** Thank you, Mr. Inkster, for coming. It is our hope that you have won the struggle for today, but the LGBTQ community has faced many struggles and will continue to face struggles. Are there any other areas where the government could make a big difference?

**Mr. Andy Inkster:** Well, I'll point out that this one actually isn't just about LGBTQ communities, because it dramatically affects women. It's predominantly women who are custodial parents, so this is an issue of sex discrimination. It's also an issue of discrimination against people with disabilities and people on the basis of family status.

I think there are areas we can improve for those folks, and this is one of them. So I'm happy to see it.

**Mr. John Vanthof:** Okay. Thank you.

**The Vice-Chair (Mr. Han Dong):** Great. Thank you very much for your presentation. Thanks for coming to Queen's Park today.

## ABORIGINAL INSTITUTES CONSORTIUM

**The Vice-Chair (Mr. Han Dong):** Committee members, our next presenter is the Aboriginal Institutes Consortium.

Good afternoon. Welcome to Queen's Park and the committee. Please introduce yourself before you begin. You have five minutes.

**Mr. Jean-Guy Fréchette:** Good afternoon, members of the committee. My name is Jean-Guy Fréchette, and I am the executive director of the Aboriginal Institutes Consortium, which represents nine First Nations-owned and operated post-secondary education institutions across Ontario.

Members, if you haven't listened to Gord Downie's Secret Path, I recommend that you do—not just because it is Downie's dying message to a nation he loved, but also because it forces us to face the truths and horrors about the residential school system.

More than that, it pushes us to reflect on what the future might look like, and I'd argue it's critical for us to consider the wider issues of education for indigenous peoples.

A few months after the death of Chanie Wenjack, which the opus is about, Maclean's published a sub-headline that said, "Charlie was 12, and indigenous. He died as the white world's rules had forced him to live—cut off from his people." "Cut off from his people": It's sadly an all-too-common refrain when we speak of the realities faced by Canada's indigenous peoples.

If you could sum up the Truth and Reconciliation Commission's final report, it is, over and over, a story of being "cut off." Members, the Indigenous Institutes Act before you is taking a major step toward rectifying this disconnect by granting the province's indigenous-owned and operated institutes equal status with colleges and universities. It will be first-of-its-kind legislation in this country, and while it cannot correct the wrongs of the past, it is an important step in our nation's journey toward truth and reconciliation, because rather than cutting people off, it will enhance educational experiences and provide new opportunities for bringing people together.

Aboriginal institutes have been successfully delivering post-secondary education programs since the 1980s, but remain largely cut off from resources and partnerships enjoyed by colleges and universities, to the benefit of students and our province's economic performance. Drafted through a unique process of co-creation, the first of its kind attempted on this scale by any provincial government, the legislation recognizes and respects the necessity and function of the institutes and it also sets a new path forward that will help us develop solutions to persistent challenges facing indigenous communities.

In the spirit of the 1972 Indian Control of Indian Education policy paper and the United Nations Declaration on the Rights of Indigenous Peoples, institutes will remain independent and self-actualizing, as the act provides for the minister to recognize a council and regulation to provide quality assurance and approval of credentials. This is critical for the way forward because it is only through independence that indigenous educators can truly set the right agenda in their classrooms and in their labs. By "right" I mean the right fit, a fit that includes an understanding of the culture behind each and every learner.

Our learners are welcomed into an atmosphere that recognizes them as an individual, an individual with a history and a dream that is theirs alone and a learning path that is just as unique. This flexible and personalized model allows for greater student success—between 80% and 85% across our sector actually—no matter where a person is on his or her educational journey.

We have only scratched the surface of truth and reconciliation, but there are flickers of hope that this might one day be possible. This legislation, members, is one of those flickers. It is a signal of wider support for stronger indigenous communities, respect for indigenous paths to education and an understanding that young indigenous people can truly flourish in an environment that recognizes who they are and makes that identity an intrinsic part of their learning.



Sadly, Chanie Wenjack was not alone. Ahead and behind him were other children who either died or lived with the trauma and the nightmare masquerading as education that was the residential school system. What might those children have become and achieved if only they had been able to fulfill their educational needs in places that did not cut them off, but rather invited them and their communities in? Perhaps with this legislation, we may yet have the privilege of finding out.

Meegwetich. Niawen'kô:wa. Merci. Thank you.

**The Vice-Chair (Mr. Han Dong):** Thank you very much. This round of questioning will start with the Progressive Conservatives. MPP Fedeli.

**Mr. Victor Fedeli:** Thank you, Monsieur Fréchette. I will ask you the same question that I ask everybody at the beginning: What specific amendments, if any, do you have that you want to present?

**Mr. Jean-Guy Fréchette:** The co-creation process was a thorough one, Mr. Fedeli, so we do not have any amendments to present to the committee today.

**Mr. Victor Fedeli:** Okay. We can talk just for a second about some of the—I can talk a little bit about the First Nations in the north as well. I've been to Webequie. I don't even know where to begin. I can talk about water and the fact that we have so many First Nations communities without potable water. I can tell you, in Webequie, when I was there the first time, you go into the store and an orange is \$4. That's how much an orange is in Webequie. We were all—it was the SCOEFA committee—in Moose Factory only a few weeks ago. I took a photograph in the grocery store of the lettuce, just as a constant reminder to me. Virtually every head of lettuce was brown, it was about the size of a softball and it was \$4.75. There's just so much that needs to be done.

If you had to start—we're legislators here. What should we be doing? Obviously, we're starting with one of these moves. Where should we be going? It just seems to be so daunting. I don't even know where we should be headed next.

**Mr. Jean-Guy Fréchette:** If you look at the spirit of First Nations Control of First Nations Education, as it's now known, it is really about self-determination and self-actualization. Proper resourcing of educational institutes will provide communities with the wherewithal to develop solutions to their own problems, reach out to colleges, universities and other experts to develop real solutions. If we think, for example, of the applied research monies that are available through the Ministry of Research, Innovation and Science: Having access to those funds would allow communities to retain IP, for example, and to test new methods, whether it's around building net-zero buildings or finding solutions to water issues.

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**Mr. Victor Fedeli:** Again, I'm just going to push a little further. I appreciate what you're saying, and I love that approach. It's infrastructure, it's education. Again, a pineapple was \$7.89, and I'll never forget, a bag—and not a big bag—of apples was \$9.29, and they were

almost rotten. I just felt terrible when we were there and knew that when we came back, there would be things we would have to be doing. We just cannot have that happening in our Far North with our indigenous peoples.

Any further thoughts in the remaining few seconds?

**The Vice-Chair (Mr. Han Dong):** You're done.

**Mr. Victor Fedeli:** Thank you.

**The Acting Chair (Mr. Han Dong):** MPP Vanthof.

**Mr. John Vanthof:** Thank you very much for coming. From a perspective of an indigenous pupil coming through the system, what do you envision are the differences between my kids going to school or an indigenous group, now that you are gaining self-control?

**Mr. Jean-Guy Fréchette:** Our institutes are small. We're able to offer a personalized learning experience to each and every one of our students. Our institutes are developing, actually, a new standard for wraparound student services. That's the main difference: We're able to meet the student wherever they're at in their learning journey and provide culturally and linguistically appropriate methods. Sometimes the students may not even know or have a connection to that culture or that language, and so the institute is able to give that to our students and to help them through that discovery journey.

**Mr. John Vanthof:** Further to Mr. Fedeli's comments: I would assume that one of the goals would be to enable traditional self-sufficiency. Part of the issue is what the indigenous have relied on in the past is not what they can rely on in the future, but those avenues are still there; they've just been taken from them.

**Mr. Jean-Guy Fréchette:** That's right. It is a process of rediscovery. If you look at FNTI, for example, in the Tyendinaga Mohawk Territory, they have restorative justice programs as well as public administration programs that are looking to rekindle indigenous ways of governance.

**Mr. John Vanthof:** Thank you.

**The Vice-Chair (Mr. Han Dong):** MMP Baker.

**Mr. Yvan Baker:** Thank you very much for coming in today and for speaking up on this issue and your support for what's been done here.

This legislation really will recognize indigenous institutes as a third pillar of our post-secondary education system. I appreciate your collaboration on this and your colleagues' collaboration in working with us on this but also your support in speaking to this issue here today. Thank you and congratulations on that.

The Aboriginal Institutes Consortium website says, "The critical objective of the consortium is recognition. The concept embodies the full developmental range of institutional capacity including: institute recognition, program recognition and funding." From my vantage point, this bill addresses all three of these elements.

A two-part question: First of all, do you agree with that? And then the second part is, can you tell us what the level of recognition contained in this bill means for not just the institutions but also for your communities?

**Mr. Jean-Guy Fréchette:** The meaning itself is self-determination: the capacity to build our own workforces

and our own leaders and thinkers and researchers and folks who are going to define what our communities need and to be able to build a capacity right across First Nation communities in Ontario. Yes, that is our mandate, absolutely. Has it been reached? It's a good start. It's an excellent start. We're almost there, but now we will need to negotiate a funding formula with government, one that meets our needs. Of course, there is also the federal government component. Together with Ontario, we are hoping to approach the federal government to come to the table as well.

**Mr. Yvan Baker:** Thank you very much.

**The Vice-Chair (Mr. Han Dong):** Thank you very much for your presentation.

**Mr. Jean-Guy Fréchette:** Thank you, members.

**The Vice-Chair (Mr. Han Dong):** You have until 6 p.m. to submit any written submissions to the Clerk of the Committee.

#### ONTARIO PUBLIC SERVICE EMPLOYEES UNION, REGION 1

**The Vice-Chair (Mr. Han Dong):** The next presenter is from the Ontario Public Service Employees Union, Region 1. Good afternoon. Thank you for coming to the committee to present. Please introduce yourself before you start. You have five minutes.

**Mr. Len Elliott:** Thank you. My name is Len Elliott and I'm with the Ontario Public Service Employees Union. I'm a regional vice-president for OPSEU. Good afternoon.

OPSEU represents over 130,000 workers in Ontario. Of that number, 400 of us are occupational health and safety inspectors employed by the Ministry of Labour across the province, including me. I work for the ministry in London.

I was here almost exactly a year ago to comment on Bill 70, which was last year's final budget measures bill. In that bill, the government moved to change the Occupational Health and Safety Act to exempt thousands of workers from the "unnecessary burden of proactive safety inspections" by health and safety inspectors who achieve accreditation—which is still not finalized, even though one of the reasons for omnibus bills is efficiency. Health and safety must never be hidden in an omnibus bill.

This year, the government is once again using an omnibus bill to introduce changes to the Occupational Health and Safety Act. Like last year's changes, these changes will affect the way the law is enforced, and they have the potential to result in injuries to workers. The part of Bill 177 that deals with the Occupational Health and Safety Act is schedule 30.

As a health and safety inspector, I understand the rationale for some of the measures proposed. Are we in favour of higher fines for employers who fail to keep their workers safe? Absolutely; yes, we are. Do we support requiring health and safety committees and health and safety representatives to report "potential structural

inadequacies" of buildings and structures to an MOL director if and when they see such inadequacies? Yes, we do. The Elliot Lake mall collapse is what I'm referring to.

Unfortunately, there is one part of schedule 30 that is highly problematic and, in my view, downright dangerous. Part 1 of schedule 30 says this: "The deputy minister may establish written directives for use by inspectors respecting the interpretation, administration and enforcement of this act and the regulations." To an outside observer, this looks innocuous enough. Why shouldn't the deputy minister be able to tell inspectors how to enforce? This is circumventing the legislative process, and these policies will have the force of law as set by ministry bureaucrats and not the elected Legislature. This is not acceptable to Ontarians and the workers in Ontario. To those of us inside the system, this language sets off very loud alarm bells.

Right now, the deputy minister has the ability to write directives and policies to tell inspectors what to do; they already have this. The deputy minister gets to be the boss. If the deputy wants to tell me to inspect chicken barns for a year, they get to do that because they're the boss. There is no need to have this piece in the legislation.

An example of this: Inspectors used to write orders to cause an employer to conduct an engineer assessment on a piece of equipment, or different equipment. The MOL wanted to change this, so they wrote a policy that an inspector will take along an MOL engineer to do this. Guess what? We now do that, because of a policy. If the Ministry of Labour wants an inspector to bring in an MOL structural engineer where there is a leaking roof, water damage or structural issues in a workplace, they can also write that policy. We are supportive of that policy as I am not a structural engineer.

So why is it in legislation? There can only be one answer. Schedule 30 is designed to reduce the autonomy of inspectors and will allow the ministry to block inspectors from issuing orders. You might think schedule 30 is about giving the deputy the ability to write broad policy directives: It is a mistake to think this. As written, schedule 30 will give the deputy or the assistant deputy minister the legal right to meddle directly with individual enforcement issues. It's a blank-cheque approach that gets policy written into law. It opens the door for the ministry to tell inspectors to back off if an employer or employer groups complain loudly enough.

Under schedule 30, if inspectors stick to their guns and stand up for workers' safety instead of employers' profits, they can and will be prosecuted. Effectively, our deputy minister is now a crown prosecutor.

Occupational health and safety inspectors make great decisions hundreds of times a day based on their training, their professional judgment and their experience in the field. Our Ministry Employees Relations Committee members from OPSEU have told the Ministry of Labour that we support quality work and have been involved in developing quality standards that inspectors can support.



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It is my firm belief that part I of schedule 30 will have a chilling effect on health and safety enforcement in the workplace. Some Ontario workers will get hurt as a result, or worse. I encourage this committee to delete part I of the schedule, as well as parts II and III, which flow from that piece.

I would be happy to answer your questions.

**The Vice-Chair (Mr. Han Dong):** Perfect. Thank you very much, Mr. Elliott.

This round will begin with the NDP: MPP Vanthof.

**Mr. John Vanthof:** Thank you, Mr. Elliott, for presenting. In the opinion of the group you represent, part I of schedule 30 doesn't directly benefit the safety of people in the workplace.

**Mr. Len Elliott:** No, it doesn't. Really, it interferes with the autonomy of an inspector by basically saying to an inspector that if there is an order that's maybe contentious but done right, they can actually tell you, "You don't get to do it and you'd be breaking the law if you did do it." I don't have a particular example, but there have been some issues that our inspectors have called the Ombudsman on. We see this as affecting our autonomy. It will make inspectors precarious and they will second-guess their decisions.

This is not currently an issue with our inspectors. If you could line up 20 inspectors whom you've disciplined on a regular basis because they said, "Paint that wall blue," and continued to do that, then I could see this being an issue. But it's not an issue.

They get to say, "Len, you will bring a structural engineer"—in the case of the Elliot Lake mall collapse—"because this is leaking. You will take this person with you." That's a good thing. We support that. It doesn't need to be in the law that a deputy minister gets to write policy, because it then becomes law, and that's not right.

**Mr. John Vanthof:** In your opinion, inspectors who are doing their job could feel threatened by this schedule.

**Mr. Len Elliott:** They absolutely do across the province. This is going on currently. We're walking away from some of the voluntary committees because we feel that strongly about this across the province.

**Mr. John Vanthof:** Okay, thank you.

**The Vice-Chair (Mr. Han Dong):** MPP Baker.

**Mr. Yvan Baker:** Thanks very much for coming in and for your advocacy. I remember you presenting to our committee at least once before, if not multiple times before. It may have been this committee; it may have been other committees. But I have personally seen you present many, many times, and I appreciate your engagement, your leadership and your advocacy.

There are a number of components that you mentioned earlier in your presentation—for example, the increase in maximum fines for individuals and corporations convicted of offences. For the individual, it goes from \$25,000 to \$100,000. For a corporation, it's from \$500,000 to \$1.5 million. You're supportive of that?

**Mr. Len Elliott:** Absolutely, yes.

**Mr. Yvan Baker:** Okay. Strengthening requirements in relation to the structural adequacy of workplaces—I guess, going back to the concerns that you've raised—and you've shared your concerns quite thoughtfully. I suppose my question to you would be: How would you suggest we establish a set of minimum standards in this regard, as Justice Bélanger recommended in his report? What would you recommend?

**Mr. Len Elliott:** You're currently doing that. For example, if something happens in a workplace and the ministry gets notification of it, they have a year from the incident to recommend a prosecution, potentially. One of the changes that you've put forward in this bill is that, instead of from the date of the incident, going forward it would be from the date that an inspector becomes aware of it. I'm sure that it stems from some of the things in the Elliot Lake mall collapse.

That's another good piece to it. You just simply write that in law. You say that—like you're about to; I hope that it's going to end up in the act or the regulations—and you do that.

Then the piece where the health and safety committee tells the employer, and the employer who rents a space has an obligation to report now under the act—because there was a bit of concern in the Elliot Lake mall collapse with one of the workplaces that reported this. I believe—I'm paraphrasing; I'm not entirely sure—that the mall said that they did something about it, and yet it wasn't done. So you could look at the employer who rents the space, and, "You're going to address that," and that's a great thing. What I'm saying, though, is that the deputy minister piece doesn't need to be there, and it was not in Justice Bélanger's recommendations.

**Mr. Yvan Baker:** How much time do I have left, Chair?

**The Vice-Chair (Mr. Han Dong):** You have 33 seconds.

**Mr. Yvan Baker:** Okay, great. Just in the time we have: Your view—just so I'm clear—is that those minimum standards should be in the legislation itself. Is that what you're suggesting?

**Mr. Len Elliott:** Just to be clear: Schedule 30, parts I, II, III—delete it. Gone, go away. The other things I talked about—the fines: Increase them. It's already in the act. That's fine. And the other piece, with the joint health and safety committee—in the act. The other piece, where something gets through—absolutely, those things need to be in the act, and I think that's where you plan on putting them. It's just the director piece—gone; nowhere; doesn't exist.

**Mr. Yvan Baker:** Okay, and so the minimum standards—do I have a few seconds, or no?

**The Vice-Chair (Mr. Han Dong):** That's it.

**Mr. Yvan Baker:** That's it. Thank you.

**The Vice-Chair (Mr. Han Dong):** MPP Fedeli?

**Mr. Victor Fedeli:** Thank you, Mr. Elliott, for the presentation. We've heard this a few times today. You may have articulated it a little more refined for me; this is not my area of expertise whatsoever. You had something

about it blocking the inspectors from giving orders. I just need you to explain to me, perhaps one more time: How does it block inspectors from giving orders?

**Mr. Len Elliott:** It has the potential of that.

**Mr. Victor Fedeli:** How? Explain how it would have the potential.

**Mr. Len Elliott:** If you're the person they're investigating, you're down this path, and you believe firmly in your findings, a director could not only tell you not to do this through the policy, you're not doing that and you continue to do it. As I alluded to, it's in the best interest of the workers in the province—and not pressure from corporate sponsors, corporate agenda. At the end of the day, we could be prosecuted if we go ahead with that order and/or whatever it is we're dealing with at that particular time.

**Mr. Victor Fedeli:** Thank you, Chair.

**The Vice-Chair (Mr. Han Dong):** Thank you. Thank you very much for your presentation.

**Mr. Len Elliott:** Thank you very much.

#### CANADIAN FEDERATION OF PENSIONERS

**The Vice-Chair (Mr. Han Dong):** Committee members, our next presenter is the Canadian Federation of Pensioners. We'll come back to the Toronto Community Benefits Network after this one.

Good afternoon. Thank you very much for coming to the standing committee. You have five minutes to present. Please introduce yourself before you begin.

**Mr. Bob Farmer:** Thank you. Good afternoon. My name is Bob Farmer. I am president of the Canadian Federation of Pensioners. I have had the opportunity to speak to many of you over the last number of months. In many cases, we were talking somewhat in academic terms, in that we didn't know quite what was going to be showing up in legislation. Now we know. I'm confining my remarks to one subsection of one paragraph of schedule 33. That's the one that relates to the coverage of the Pension Benefits Guarantee Fund.

In our discussion, I talked to you about how poorly funded defined benefit pension plans are in Ontario today. Of the \$246 billion of liabilities, \$54 billion today are unfunded. The regulation that was announced in May that would lower funding requirements would remove another \$33 billion from needing to be funded. It doesn't mean that the liability has disappeared; it just means that the rule wouldn't require them to be funded. So the funding situation can be expected to get worse.

Let me lay my cards on the table. I'll tell you what I believe of you guys. What I believe is that you are willing to help pensioners to be protected and that you want the pension commitments that have been made to them to be honoured, but not if it comes at some unacceptable cost to employers. I also believe that you want employers, if they can, to get some financial savings in operating their defined benefit pension plans as long as pensioners are protected. Here's the third thing I believe: I believe that when someone like me comes to you and

says, "You know what? We can do both"—we can both protect pensioners and, in fact, protect them better than they are protected today in Ontario, and give savings to employers. We can do them both, and you're somewhat skeptical because win-win solutions are more fable than they are fact.

I just want to spend a couple of minutes on—in fact, probably one minute—on why you should actually understand that there is a win-win solution here. Ask yourself this question: When it comes to protecting your house from a fire, you could do one thing. You could either buy fire insurance or you could put enough money aside so that in case you do have a fire, you can rebuild a house. Why do you buy fire insurance? Well, you do it because you know that putting that money aside is wasteful and probably won't be called on, because the probability of your house burning down is quite unlikely. So what you do is you buy insurance and you share the risk among all homeowners. What we are suggesting is that the same model get adopted for pension plans in Ontario. In fact, it already has been adopted, to some extent. We want it to be brought in a little more forcefully.

When employers say, "I shouldn't have to fund the full solvency obligations of my plan," they're thinking of themselves as the guys who have to put money away to insure their pension plan against the possibility that they might fail. Most employers will tell you—in fact, all employers will tell you, "I know some have failed, but I won't. I will not fail. So why do I have to bury my money in these solvency liabilities for my pension plan? I won't be called upon to actually salvage my pension plan that way." But we know that some will be required to.

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What we want the PBGF to be able to do is to make good on any unfunded windup liability of a pension plan, but only for those pension plans that actually do fail, for the employers that are actually failing. Rather than limiting the coverage to \$1,000 per month as it is today or \$1,500 per month, as is proposed in Bill 177, say, "We will cover any unfunded liability. The PBGF will do that."

Obviously, the PBGF fees will have to go up. We've run some numbers and we think that there are savings in it for employers of \$1.4 billion a year because their funding requirements are going down. Their PBGF fees will go up by about 5% of that amount. That's where the win-win comes. Employers will still get big savings, but pensioners will be protected.

I've had many discussions not only with you but also the bureaucrats in the ministry, and I have to tell you, I have not understood why Ontario has chosen, in Bill 177, to take one step when two steps will do the job. That's what I'm asking this committee: When you get together again next Monday and debate clause-by-clause, look at this—

**The Vice-Chair (Mr. Han Dong):** Thank you very much, Mr. Farmer. This round will begin with the PCs: MPP Fedeli.



**Mr. Victor Fedeli:** I thought it was the Liberals' turn.

**The Vice-Chair (Mr. Han Dong):** I'm sorry; you're right. We'll start with the Liberals: MPP Baker.

**Mr. Yvan Baker:** Thanks, Bob. Thanks for coming in again. I'm one of those people you've met with on a number of occasions.

**Mr. Bob Farmer:** Yes, twice.

**Mr. Yvan Baker:** I know you got cut off there near the end. Is there something you wanted to add?

**Mr. Bob Farmer:** You know, I was at the end. The end is, now's the time to do it. We can do it. Give them money. Give pensioners protections. Let's do it now because we may not get the opportunity again.

**Mr. Yvan Baker:** I think we've heard you, both in the meetings prior to today and today. I think you've made your case quite articulately, as you always do, but you did so particularly today. What I'd like to do is just focus in on the steps that are proposed currently in this bill, if you could just help inform us on your perspective on those.

There are two components that I want to ask you about. The first is the increase in the monthly pension guarantee under the PBGF. That's a 50% increase, from \$1,000 to \$1,500. Could you talk a little bit about that as far as what the impact of that will be in protecting people's pensions?

**Mr. Bob Farmer:** Okay. First of all, I don't want to come across as churlish here. An increase is great, from \$1,000 to \$1,500; that's good. But I want to put it in context. The \$1,000 was set 37 years ago. If the coverage, the protection, that the PBGF provided were going to be indexed to inflation, it would have moved to \$1,500 30 years ago. So, yes, I'm glad it's going up from \$1,000 to \$1,500—any increase is good—but think of it in this term instead: Inflationary increases would probably have brought it to just under \$3,000 today. We're moving it, under Bill 177, to a level that gives half the protection that the PBGF gave in 1980. Yes, it's good, but we could do a whole lot better if the objective is really to protect pensioners.

Let me say why \$1,500 doesn't quite do the job. Clearly, some will be better off. People who today have a pension somewhere between \$12,000 and \$18,000 a year—and there are unfortunately quite a number of them—are going to be better protected because they will be fully protected for their \$18,000-or-less pension, whereas before they may have suffered some loss. It's those who have higher pensions—and there are quite a number of them as well. They're going to continue to feel a loss in pension for those amounts above \$18,000, and because plans are not going to be as well-funded because the obligations are going down, the shortfall in their plan, should it wind up, is likely to be larger than it would be under today's funding rules. So some pensioners will be hurt. They're the ones with the pensions above \$18,000. They will probably be hurt more than they would be under today's funding rules because of the funding rule change—

**The Vice-Chair (Mr. Han Dong):** Thank you very much.

MPP Fedeli.

**Mr. Victor Fedeli:** Thank you very much, Mr. Farmer, for being here today, for your correspondence in the past and the lobby day that you had, only within the last month.

It's always interesting to talk about pensions in a room with government employees who don't actually earn a pension. Most people don't know that, that we don't have what you would call a traditional pension; that's for the federal MPs. It's always kind of interesting for us to be chatting about that.

Nonetheless, you mentioned you can't see why one change is happening when two would do the trick. Can you once more simply articulate what the one is and what the second one should be—just to articulate it?

**Mr. Bob Farmer:** The one is, there's a recognition—and kudos to the government for recognizing—that if funding requirements are to be relaxed, there's extra risk put onto pensioners.

**Mr. Victor Fedeli:** You're referring to changing it from 100% to 85%.

**Mr. Bob Farmer:** That's correct. That's one change. The second change recognizes more risk because of that. We have to do something to protect pensioners. Second step: Increase the PBGF coverage from \$1,000 to \$1,500 a month.

The third step, which is the one that hasn't been taken, is: Go all the way and make sure all pensioners are protected fully for the pensions that have been committed to them. That's the step that's missing.

**Mr. Victor Fedeli:** Thank you, Chair.

**The Vice-Chair (Mr. Han Dong):** Thank you. MPP Vanthof.

**Mr. John Vanthof:** Thank you as well for coming.

I've got to say, you have a gift of bringing a very complex issue and distilling it into something that people understand. Very few people—I'm going to include myself in that—understand the total intricacies of pensions.

Please correct me if I'm wrong. I'm not going to ask you to explain it again; I'm going to try to explain, and I want you to correct me. By bringing the solvency—the pension fund, to keep it solvent—you need 100% in the bank, and I know companies have a hard time making that sometimes—they're going to drop that, so you need 85% of the coverage to protect pensioners. They've increased the base insurance rate you're going to get if the plan isn't solvent. What you're saying is that they should increase the insurance rate to cover the full risk that the pensioners are taking by allowing that solvency to go down. Am I close?

**Mr. Bob Farmer:** Bingo. You're right on—exactly right.

**Mr. John Vanthof:** Okay. Thank you, and thank you for everything you do, Bob.

**The Vice-Chair (Mr. Han Dong):** Thank you very much for your presentation to the committee. We have

the written submission. Thank you very much for coming.

### TORONTO COMMUNITY BENEFITS NETWORK

**The Vice-Chair (Mr. Han Dong):** Committee members, now we'll go to the 3:30 presenter, Toronto Community Benefits Network.

Good afternoon. Welcome to the Standing Committee on Finance and Economic Affairs. Before you begin, please introduce yourself. You have five minutes. Thank you.

**Ms. Rosemarie Powell:** My name is Rosemarie Powell and I'm the executive director of the Toronto Community Benefits Network. My colleagues are beside me and I will allow them to introduce themselves. Bill, would you like to go?

**Mr. Bill Signal:** My name is Bill Signal. I'm the construction liaison person for the Toronto Community Benefits Network. I'm the person who chases all the unions up to get them to bring in apprentices from marginalized communities.

**Ms. Jane Wilson:** I'm Jane Wilson. I'm working presently as a consultant with Toronto Community Benefits Network and previously have worked for many years with an organization working on pre-apprenticeship programs for women.

**The Vice-Chair (Mr. Han Dong):** Thank you.

**Ms. Rosemarie Powell:** I bring greetings from our membership and thank you for the opportunity to officially express our support for the Graduated Apprenticeship Grant for Employers.

The Toronto Community Benefits Network, representing 79 member groups and organizations, is an innovative coalition made up of trade unions, trades training centres, workforce development agencies, grassroots groups and community organizations serving under-represented groups that work closely with government, employers and foundations. Founded in 2013, the members of the coalition are committed to negotiating community benefits agreements, ensuring that community members are accessing publicly funded jobs resulting from infrastructure construction contracts and that there is hiring from diverse groups.

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On April 23, 2014, Toronto Community Benefits Network became the first community benefits network in Ontario to achieve a signed community benefits framework with Metrolinx. This framework ensured the contractor, later determined to be Crosslinx Transit Solutions, as part of their community benefits plans and community benefits provisions, outlined in their commitment to employment, training and apprenticeship opportunities for local community members who are under-represented in construction trades. These are women, newcomers, indigenous individuals, racialized individuals, youth and military veterans.

In December 2016, Metrolinx, Infrastructure Ontario, Crosslinx Transit Solutions, Toronto Community Benefits Network and the Ministry of Advanced Education and Skills Development, as well as the United Way Toronto and York Region, signed a declaration related to apprenticeships on the Eglinton Crosstown. The declaration outlines an approach that maximizes the number of apprenticeships for the trades that are required to construct and maintain the Eglinton Crosstown. The signatories made the commitment to aspire to achieving a goal of 10%, employing apprentices or journeypersons from historically disadvantaged communities and equity-seeking groups to perform 10% of all trade or craft working hours on a trade-by-trade basis required to construct the project.

We know that achieving this goal is dependent on trade unions, pre-apprenticeship programs and other organizations that prepare apprentices, ensuring there is a regularly available supply of quality apprentices and journeypersons from these communities. TCBN and a number of representatives from our membership recently participated in a stakeholder consultation process by the Ministry of Advanced Education and Skills Development about modernizing the apprenticeship system. This proposal to transform the existing Apprenticeship Training Tax Credit was an important issue that was raised, and we are very pleased to hear that some of our recommendations are already being picked up on.

**Ms. Jane Wilson:** Skills Canada estimates that 40% of new jobs created in the next decade will be in the skilled trades, but presently only 26% of young people are considering a career in these areas. The problem is worsened by the fact that these young people who do choose the career face significant barriers to entry, the first one of them being, particularly, finding an employer who will register them as an apprentice.

As the 2016 annual report of the Auditor General revealed, less than half of the people who begin an apprenticeship program in Ontario complete it. Once they get through the obstacle of getting the employer, then the next barrier they face is actually completing. This is unfortunate. It's an experiential learning program, yet the system right now is so complex for both the apprentice and the employer.

We are confident that the Graduated Apprenticeship Grant for Employers will help to address this concern. To ensure that all employers big and small are made aware of the opportunity, we also recommend that as part of the graduated apprenticeship grant, the government of Ontario should implement a province-wide communication strategy, targeting employers, to foster greater awareness of the benefits of experiential learning and incentives available to businesses that hire apprentices, including those from under-represented groups.

**The Vice-Chair (Mr. Han Dong):** Thank you very much. That's five minutes. We'll start with the PCs: MPP Fedeli.

**Mr. Victor Fedeli:** Thank you very much, Chair. Thank you very much, Ms. Powell. I enjoyed the



presentation. We've heard from a few people today talking about the GAGE program. I'll ask you the same question I start with: Are there any amendments that you are asking to be brought forward?

**Mr. Bill Signal:** I would like to put one amendment forward. The program right now pays the employers the money basically up front in the first year or so. The problem with that program when you do that is that they don't employ those individuals for the full time of their apprenticeship. They're more readily able to hire another first-year apprentice and get the money the second time instead of putting the apprentice in from start to finish. As everyone's aware, many, many apprentices do not complete their apprenticeships. One of the reasons they don't complete them is because they get let go or laid off by the employer that's looking for financial gain from another first-year apprentice. So what I'm suggesting is not to increase the monies but to divide the monies over the five years or four years, whatever the time period is, and pay it to the employer that way. I think it would be more economical.

**Mr. Victor Fedeli:** Thank you very much. I've also talked about Dr. Miner's presentation throughout many of the last years: People Without Jobs, Jobs Without People. It talks about the skilled trades. Can you just talk a little bit about the demands? We've heard from many today, from various groups—chief building inspectors, landscapers—who have come and said, "We've got a real hole in the employment sector where we can't fill these jobs." Can you talk to us about the skilled trades and the need for filling those jobs?

**Mr. Bill Signal:** I'd like to talk about it. I was the president of the plumbers' and pipefitters' union and a business representative for 17 years, so I do know what the problem is. Sometimes there's no shortage of trades; there's a shortage of some trades. They are the bricklayer, the stonemasons, the labourers, where it's very hard, physical work. Not as many people want to get into those trades. The electrical, the plumber apprenticeship, the sheet metal—when there was a notice out that they're taking apprentices, I for one, at the plumbers' union, would see 1,000 to 1,200 people line up for 100 jobs as apprentices. So the issue is not a shortage of apprentices and tradespeople, it's a shortage of some of the trades.

**Mr. Victor Fedeli:** That's fascinating. Thank you.

**The Vice-Chair (Mr. Han Dong):** Thank you. MPP Vanthof.

**Mr. John Vanthof:** Thank you very much for your presentation. What I gathered from your presentation is one of your goals is to remove obstacles so people can actually get these jobs, get the apprenticeships, and in the end get into the workforce. Are there any other obstacles—perhaps not specifically with this bill, or with this bill—that the government could help you overcome?

**Ms. Jane Wilson:** One of the other issues, and I think it's a critical one, is that there are minority-owned businesses and diverse suppliers, through contracting and subcontracting, that really need to be brought into the apprenticeship system, who are perhaps working in the

trades but are not availing themselves of the apprenticeship system for qualifications for their employees, and also the incentives that they as businesses could be benefiting from as well.

**Mr. John Vanthof:** How could government help to engage those folks?

**Ms. Rosemarie Powell:** We think that there needs to be more education happening for employers about the incentives that are available, and just the benefits of taking on an apprentice.

We also need to reduce the red tape for them. With many of the small employers, it's an administrative burden to take care of payroll, much less to add on the requirement to complete complex forms to actually submit for the incentives, so they will not take advantage of it. I noticed that this program does that, and we feel that's really good.

It's great that you've made it to become automatic and that it's based on completion, because oftentimes what will happen is that they will work forever and ever without going back to complete their studies and complete the tests, and the employers will continue to have them do that. But now, this will push them, the employers, to make sure that their apprentices go back to school and get the accreditation that they need to be able to complete. It's a little bit of the carrot and the stick, making sure that there is an incentive for the employers to do the right thing, and awareness about the opportunities for them to actually do that support where possible. To remove that administrative burden for them is also going to be important. We're really pleased to see that this has been thought of in your development and proposal for the graduated apprenticeship grant.

**The Vice-Chair (Mr. Han Dong):** Thank you very much.

To the Liberals. MPP Colle.

**Mr. Mike Colle:** I have a little bit of a history with this. As you know, when we signed the contract to build the largest construction project in North America, we had the community benefits program included in this. But, to tell you the truth, I'm very disappointed with what's happened, which is that the number of people hired from minority communities—especially at-risk communities in my riding—is very small. It's great to see all of the construction workers getting well paid, working on this multi-billion-dollar subway project, yet the local youth can't get employed. They walk by every day, unemployed, and they say, "How can I get a job there?" In every case, they can't.

**Ms. Rosemarie Powell:** I support you 100% with that sentiment, and we would absolutely love to see that these programs are scaled up and that community benefits agreements become a part of every infrastructure project out there. With the Eglinton Crosstown, we can say that 30 have been hired. We just started. It's the first year of implementation. There have been some delays. We expect to see that ramped up over the next several years, and that more and more people will be hired as a result.

That being said, we have seen 30 people from the communities that we have targeted actually hired, and

this is a real life-changing situation for them: A really good job with long-term career prospects. We obviously want to see more of that actually happening, but it's starting to happen, and we think that over the next four years we'll see much improvement.

**Mr. Mike Colle:** Well, I don't think 30 is good enough—

**Ms. Rosemarie Powell:** I agree.

**Mr. Mike Colle:** —and it's not your fault.

The other thing about it: As we employ 30, how many have lost their jobs because of the construction project along Eglinton? Dozens and dozens of retailers who employ three or four people have closed down and lost their jobs. I could give you a number of those. Don't you think that what we need, to start, is that part of any project cost should include some kind of mitigation support for small business that is impacted by construction? Right now in Ontario, in Canada, there is no attempt to recognize that small business employers that hire people have no way of getting through the construction. They can't survive. I could take you for a walk along Eglinton; I'll show you.

**Ms. Rosemarie Powell:** Yes. Our community benefits model that we've developed with Metrolinx—

**The Vice-Chair (Mr. Han Dong):** Thank you very much. That wraps up today's presentation and questions and comments. Thank you very much for coming to the committee.

**Ms. Rosemarie Powell:** Thank you very much.

**Mr. Bill Signal:** Before it's over, I do hope that you would look at that 10% mandatory—

**The Vice-Chair (Mr. Han Dong):** I would like to remind the presenter that you have until 6 p.m. this evening to submit any written submission to the Clerk of the Committee. Thank you very much.

Committee members, I would like to remind you that the hard deadline to file amendments to Bill 177 with the Clerk of the Committee is 10 a.m. tomorrow, Friday, December 8. Amendments must be filed in hard copy to room 1405 of Whitney Block.

This committee stands adjourned until 1:30 p.m. on Monday, December 11, when we will meet for clause-by-clause consideration of the bill.

*The committee adjourned at 1534.*





this is a real threatening situation for them. I really good to have someone whose purpose, we obviously had in the mind of that country happening for the coming to happen, and we think that over the next few years we'll see much improvement.

Mr. Walter Carter: Well, I think there will be good things.

Mr. Raymond: Thank you.

Mr. Mike Latta: What did you think?

The other thing that is the one thing, if I have really been any help with because of the international aspect along business? General and others of people very serious about the people have closed down and has been when I could not see a number of things that you think this was an idea in 1944, a first part of our period and should include some kind of very, very serious in the world business, that is required by people, and might also be Canada in Canada, there is an attempt to encourage that small business enterprise that has made the way of getting through the organization. They won't accept a small idea like that's worth doing because I'll show you.

Mr. Raymond: Thank you. The business is really something we've developed our business.

The Vice-Chair (Mr. Tom Smith): Thank you very much. The program today's program was very good and interesting. Thank you very much for making it so interesting.

Mr. Raymond: Thank you very much.

Mr. and Mrs. Smith: Thank you very much for the program and for the help.

The Vice-Chair (Mr. Tom Smith): Thank you very much for the program and for the help. The program was very good and interesting. Thank you very much.

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